

From: Thomas, AJ
Sent: Friday, May 11, 2018 11:50 AM
To: Thomas, AJ
Subject: Deconstructing the Administrative State Luncheon
Attachments: Deconstructing Admin State Lunch Invite.pdf

Hello! Had enough of bureaucracy? Tired of all the red tape? Concerned about rogue agencies seemingly operating impervious to oversight? I am, too!

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On Wednesday May 23rd there will be a panel discussion of HB580 featuring the American Principles Project's Erin Tuttle, Greg Lawson of The Buckeye Institute, and Micah Derry of Americans for Prosperity. It will be moderated by Representative Andy Thompson. There will also be a free lunch provided by the parties in question.

House Bill 580, adds oversight and transparency to Ohio executive agencies' applications for federal grants, in an effort to control the rise of the administrative state. The discussion will include how the bureaucracy of our federal and state governments has grown over time, and how this administrative growth has specifically hurt the State of Ohio through federal grants and mandates. We will discuss how HB580 will help address the problem we have with a rising administrative state, and institute oversight via the executive branch.

WHERE: 31st Fl. North Room

WHEN: Wednesday May 23rd from 11:00-12:15

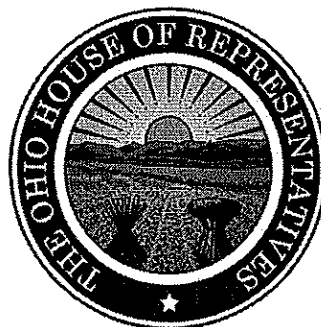
WHO: All Members and Staff are invited

Please RSVP to AJ Thomas (AJ.Thomas@ohiohouse.gov) by Friday May 18th so we may have a count for lunch.

We hope to see you there!

Andrew M. Thompson

Andy Thompson
State Representative
House District 95



Subj: Deconstructing the Administrative State Panel Discussion and Luncheon

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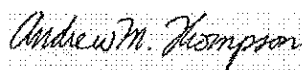
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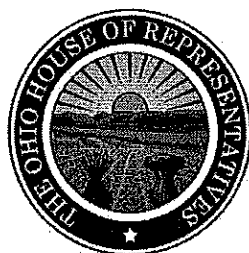
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Andy Thompson
State Representative
House District 95



THE BUCKEYE INSTITUTE



AMERICANS FOR
PROSPERITY

From: Westlake, Libby
Sent: Tuesday, May 15, 2018 8:56 AM
To: Westlake, Libby
Subject: E-Clips for 5/15/2018

HOUSE E-CLIPS 5/15/2018



GOP GOV. KASICH TO SHARE OHIO PLAN TO HELP LEGAL IMMIGRANTS

Ohio Gov. John Kasich is announcing an initiative aimed at helping legal immigrants successfully integrate in the state.

OHIO HOUSE GOP TO PICK NEW SPEAKER; LAST LEADER RESIGNED

Republicans in the Ohio House are slated to vote on a new House speaker after the previous leader resigned amid an FBI inquiry surrounding his activities.



KASICH, DeWINE OPPOSE SPORTS BETTING; CORDRAY WOULD CONSIDER IT

Can you imagine betting a few bucks — legally — on the Ohio State University football Buckeyes to cover the spread against That Team up North?

HUNDREDS GATHER AT STATEHOUSE TO MARK REBIRTH OF POOR PEOPLE'S CAMPAIGN

Almost 50 years to the day after the original Poor People's Campaign marched on Washington, the current iteration of the movement descended on the Statehouse steps to call on the General Assembly to address the plight of the millions of people living in poverty.

HOUSE GOP DRAGGED INTO CONTENTIOUS TUESDAY SPEAKER VOTE

The House speaker is one of the most powerful people in state government, and Ohio lawmakers are about to pick a new one in a rare mid-term replacement.

MANY STATE EMPLOYEES RECEIVE 8.7% RAISE OVER 3 YEARS

Members of the state's largest employee union will receive a raise of more than 8 percent over three years in a contract ratified by the Ohio Civil Service Employees Association.

DISPUTE OVER PROTECTION OF EVIDENCE IN ECOT CASE RESOLVED

The Ohio auditor's office has finished collecting data for a criminal investigation of failed online charter school ECOT and placed the records in an evidence locker, where they can be opened and reviewed only by a judge's order under an agreement reached Monday in Franklin County Common Pleas Court.

THE PLAIN DEALER

SPORTS WAGERING COULD BE HEADING TO OHIO AFTER SUPREME COURT

RULING

Placing sports bets at Ohio casinos made giant leap toward becoming legal with a decision from the U.S. Supreme Court on Monday.

MIKE DEWINE RAISED \$1 MILLION IN 72 HOURS FOLLOWING HIS GOP

PRIMARY WIN, HIS CAMPAIGN SAYS

Mike DeWine's campaign for governor raised \$1 million in the 72-hour period after he won the Republican nomination last week, his campaign said Monday.

FORUM LOOKS TO FIND ANSWERS ON HOW TO GET MORE WOMEN INVOLVED IN POLITICS

Three politically astute women will share their insights into the disparity between men and women in politics at a Wednesday forum in Cleveland Heights.

OHIO MEDICAL MARIJUANA COMPANIES AWAIT JUDGE'S DECISION ON WHETHER TO PAUSE GROW LICENSES

The decision of whether to halt a portion of Ohio's nascent medical marijuana program - which the state argues will delay cannabis from getting to sick patients - is now in Franklin County Common Pleas Judge Richard Frye's hands.

THE ENQUIRER

WILL OHIO LEGALIZE SPORTS GAMBLING AFTER U.S. SUPREME COURT DECISION?

Want to bet on the Cincinnati Bearcats, Ohio State University Buckeyes or Cincinnati Bengals?

FBI INVESTIGATION: WHO WILL WIN THE GOP BATTLE TO LEAD THE OHIO HOUSE?

Right to work. Abortion restrictions. Gun laws. Money for schools. Medicaid expansion. A key person controlling decisions on these controversial, complex topics: the Ohio House speaker.

THE BLADE

One of America's Great Newspapers

SUPREME COURT LETS STATES, INCLUDING OHIO, LEGALIZE SPORTS GAMBLING

The U.S. Supreme Court on Monday opened the door for states like Ohio to enter the sports-betting arena, but it remains to be seen whether the Buckeye State is ready to walk through it.

SCHOOL THAT TOOK ECOT STUDENTS WANTS POOR SCORES IGNORED

Maumee-based Ohio Virtual Academy and its sponsor are asking lawmakers to provide a "safe harbor" from potentially poor academic performance by students who transferred from the now-shuttered Electronic Classroom of Tomorrow.

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Sent: Tuesday, May 15, 2018 9:34 AM
To: Thomas, AJ
Subject: RE: Deconstructing the Administrative State Luncheon

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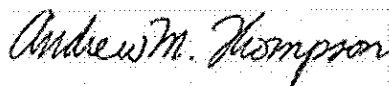
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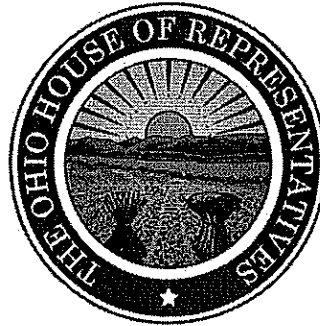
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State Representative
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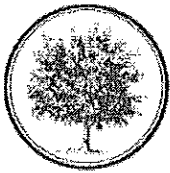


THE BUCKEYE INSTITUTE



AMERICANS FOR
PROSPERITY

From: The Buckeye Institute
Sent: Thursday, May 17, 2018 10:46 AM
To: Miller, Brad
Subject: The Buckeye Institute: Changes to Renewable Energy Mandate Risk Ohio's Economy



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE
May 17, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute: Changes to Renewable Energy Mandate Risk Ohio's Economy

Columbus, OH -- The Buckeye Institute issued the following statement on the changes made to the policies in House Bill 114.

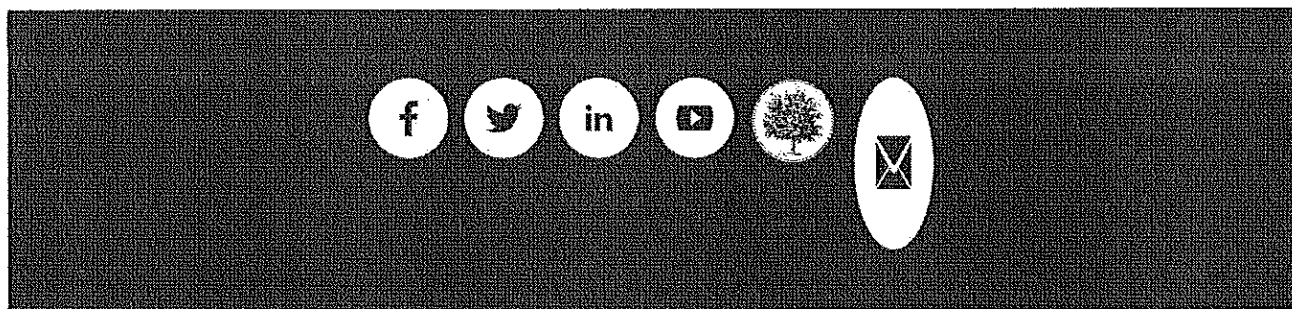
"For years Ohio consumers have been able to voluntarily pay to receive their energy from renewable sources and they should be allowed to continue to choose whatever energy source best meets their needs. They do not need the government forcing them to pay higher energy bills to pay for a forced mandate.

"With House Bill 114, the Ohio House of Representatives had wisely shifted Ohio away from government imposed renewable energy mandates. Unfortunately, the Senate has reinstated them. Although the Senate proposal reduces the forced mandates, the fact that they remain unduly **risks Ohio's economic growth** by continuing to allow a special interest subsidy at a time when we should be eliminating all subsidies."

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution - a think tank - whose mission is to advance free-market public policy in the states.

The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.



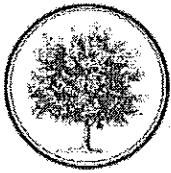
The Buckeye Institute, 88 East Broad Street,
Suite 1120, Columbus, OH 43215

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Sent by info@buckeyeinstitute.org

From: The Buckeye Institute
Sent: Thursday, May 17, 2018 5:25 PM
To: Miller, Brad
Subject: The Buckeye Institute Reacts to HHS Determination that Ohio's 1332 Medicaid Waiver Application is Incomplete



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

May 17, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute Reacts to HHS Determination that Ohio's 1332 Medicaid Waiver Application is Incomplete

Columbus, OH -- The Buckeye Institute issued the following statement on the Centers for Medicare and Medicaid Services' determination that Ohio's 1332 Medicaid waiver application was incomplete.

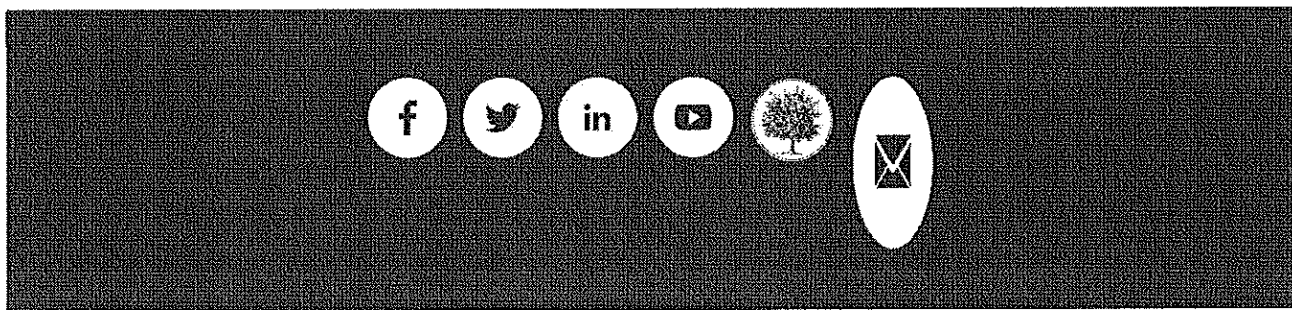
"It is disappointing that the federal government would **deem Ohio's 1332 Medicaid waiver application incomplete**. The Ohio application does not impact health coverage according to actuarial evidence. While Health and Human Services (HHS) told states it would work with them to use innovation waivers to ease the burden of the Affordable Care Act, in practice HHS has been inflexible. It's refusal to rescind Obama-era guidance regarding 1332's reinforces that message of inflexibility."

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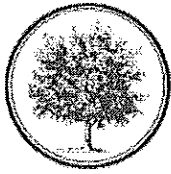
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Sent by info@buckeyeinstitute.org

From: The Buckeye Institute
Sent: Friday, May 18, 2018 11:33 AM
To: Miller, Brad
Subject: The Buckeye Institute: Ohio's Job Market Continues its Steady Climb



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE
May 18, 2017

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute: Ohio's Job Market Continues its Steady Climb

Columbus, OH -- Andrew J. Kidd, Ph.D., an economist with The Buckeye Institute's **Economic Research Center**, commented on newly released employment data from the **Ohio Department of Job and Family Services** (Click [here](#) to **download** the audio file.).

"Ohio continues to experience steady improvement in its labor market with unemployment falling to 4.3 percent, and significant job growth relative to April 2017 when the unemployment rate was 5.1 percent. This, coupled with the rise in labor force participation, means Ohio's labor market is growing and those seeking jobs are finding them. This is good news for Ohioans and good news for Ohio's economy.

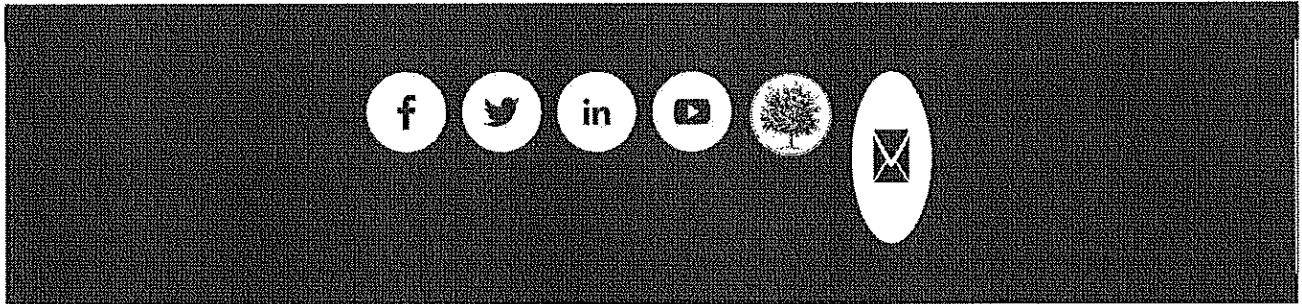
"Although Ohio has yet to reach the national unemployment rate of 3.9 percent, we are on the right track. While the national labor force participation rate fell, Ohio's actually grew. This means Ohio fared better than most states in maintaining a strong labor force. Although Ohio is moving in the right direction, policymakers need to ensure obstacles, such as special tax credits to benefit specific businesses, are not put in place that would harm this growth.

"While this month's growth was slower than previous months, Ohio's unemployment rate has held steady or fallen every month since October 2016, and we should not lose sight of the fact that relative to 2017, Ohio's job market is much stronger and continuing pro-growth policies will help both Ohio businesses and Ohio workers.

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Sent by info@buckeyeinstitute.org

From: Thomas, AJ
Sent: Friday, May 18, 2018 12:32 PM
To: Thomas, AJ
Subject: FW: Deconstructing the Administrative State Luncheon

Final chance! Don't miss out on lunch and a great opportunity to see what we are doing to control the rise of the administrative state. Thanks!

AJ THOMAS
Legislative Aide
State Representative Andy Thompson | Ohio's 95th House District
Ohio House of Representatives
77 South High Street, 11th Floor
Columbus, Ohio 43215
Office number: (614) 644-8728
AJ.Thomas@ohiohouse.gov

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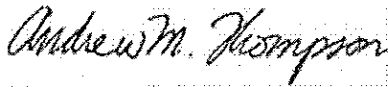
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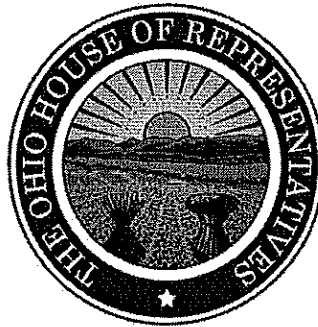
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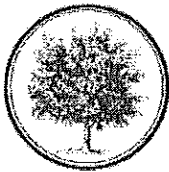


THE BUCKEYE INSTITUTE



AMERICANS FOR
PROSPERITY

From: The Buckeye Institute
Sent: Tuesday, May 22, 2018 10:31 AM
To: Miller, Brad
Subject: The Buckeye Institute Calls on Policymakers to Protect the "Brilliance of America's Constitution": Federalism



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

May 22, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute Calls on Policymakers to Protect the "Brilliance of America's Constitution": Federalism

*Daniel J. Dew Testifies Before the Ohio Senate
Local Government, Public Safety, and Veterans Affairs Committee*

Columbus, OH -- The Buckeye Institute's Daniel J. Dew testified today (see full text below or **download a PDF**) before the Ohio Senate Local Government, Public Safety, and Veterans Affairs Committee on Senate Concurrent Resolution 23 and the importance of constitutional federalism.

"The significance of federalism and the separation of powers between the federal and state governments can hardly be overstated," Dew said in opening his testimony where he outlined three points for members of the committee to consider: the importance of federalism, the erosion of federalism, and the future of federalism.

The importance of federalism, Dew testified, was expressed by "Justice Anthony Kennedy [who] once wrote that 'Federalism was our Nation's own discovery...It was the genius of their [the Framers] idea that our citizens would have two political capacities, one state and one federal, each protected from incursion by the other.'" Dew went on to say "Federalism is that unique system of sovereignty and power that protects the people of one state from the dictated policy preferences of another."

Recognizing that American federalism has been eroded, Dew highlighted the case of Montgomery County farmer, Roscoe Filburn, who lost his 1942 case against the federal government, which had charged Mr. Filburn with violating the federal quota limiting the amount of wheat that farmers could legally grow. In its ruling against Mr. Filburn, the Supreme Court looked to the Commerce Clause, which as Dew said, "Has not been the only lever that Congress has pulled to further shrink the sphere of the several states." Congress and the federal government, also offer "vast sums of federal money in exchange for states doing what Congress is not otherwise authorized to do," as they did with the "once-popular but now widely-criticized Crime Bill of 1996," where they offered states money if they would increase prison sentences for those convicted under state law. And, as Dew points out, "Many states obediently rewrote their criminal statutes in order to take Uncle Sam's cash."

Dew closed his testimony by pointing out that there is hope for federalism and, "It affords opportunities for states to assert their prerogatives once again." To do that Dew says, "State attorneys general must...defend state sovereignty against federal action in court," state legislatures must close loopholes that allow greater federal government incursion, and legislatures must "actively resist the temptation to take federal dollars that Congress offers to entice Ohio to do its bidding."

###

**Interested Party Testimony Before the Ohio Senate
Local Government, Public Safety, and Veterans Affairs Committee**

**Daniel J. Dew, Legal Fellow
The Buckeye Institute
May 22, 2018**

Chair Uecker, Vice Chair Wilson, Ranking Member Thomas, and members of the Committee, thank you for the opportunity to testify today regarding Senate Concurrent Resolution 23 and the importance of constitutional federalism.

My name is Daniel J. Dew, and I am the legal fellow at The Buckeye Institute's Legal Center, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

The significance of federalism and the separation of powers between the federal and state governments can hardly be overstated. And although we as lawyers and members of the General Assembly are undoubtedly familiar with this founding principle of our great

republic, it remains useful to remind ourselves of that principle, how and for what purpose it functions, and what role it might play in our political future. To that end, I offer the following three points for your consideration: the importance of federalism; the erosion of federalism; and the future of federalism.

The Importance of Federalism

The undisputed brilliance of America's founding and Constitution lies in federalism. Justice Anthony Kennedy once wrote that "Federalism was our Nation's own discovery. The Framers split the atom of sovereignty. It was the genius of their idea that our citizens would have two political capacities, one state and one federal, each protected from incursion by the other." Justice Kennedy reminds us that the greatest check on federal power under the Constitution was not the separation of power divided among three co-equal branches, but the division of power between the sovereign states and the sovereign United States.

To implement this balance of separated power, the Constitution established several structural safeguards to protect against political "incursions." State sovereignty was protected first by the express, but limited delegation of specific powers that the Constitution granted to the national government. Many of the Framers considered these enumerated federal powers to be the extent of national authority, but others worried that without additional explicit protections, the national government would expand beyond its delegated sphere.

In opposing the need for a bill of rights, for example, Alexander Hamilton argued in Federalist 84:

"I go further, and affirm that bills of rights...are not only unnecessary in the proposed constitution, but would even be dangerous. They would contain various exceptions to powers which are not granted; and on this very account, would afford a colourable pretext to claim more than were granted. For why declare that things shall not be done which there is no power to do?"

To sharpen his point, Hamilton went on to ask: "Why for instance, should it be said, that the liberty of the press shall not be restrained, when no power is given by which restrictions may be imposed?"

Notwithstanding Hamilton's rhetorical question, the Bill of Rights was soon ratified, and with it a second constitutional safeguard for federalism and state sovereignty. James Madison, the architect of the constitutional structure, initially resisted a bill of rights, believing like Hamilton that such express protections were unnecessary given the few and

defined federal powers. But Madison later authored the Constitution's 10th Amendment, which expressly reserves to the people and the several states any powers not delegated to the federal government.

One final structural safeguard for state authority was the Constitution's initial requirement that U.S. Senators be elected by state legislatures. This provision -- later nullified in 1913 by the Seventeenth Amendment -- gave states a more direct representation in the national Congress, essentially giving states a veto power over any legislation that infringed on state prerogatives or sovereignty.

The animating principle behind each of these safeguards, of course, was the Framers' understanding that local governments are best suited to govern *local* matters, and that you, as Ohio's legislature, would know better than Congress or the President how to solve the problems and concerns of Ohio and your constituents. Federalist 17 went so far as to call any attempt by the national government to involve itself in local matters "troublesome."

We see the wisdom of this concern manifest in our own political climate today. We see fundamental differences of opinion from state to state on the proper role, scope, and interests of government -- whether state or federal. Californians, for example, do not want Oklahomans or Alabamans dictating policy for California -- and the feeling is almost certainly mutual -- just as we would never want that "state up north" dictating policy for the great state of Ohio.

Federalism is that unique system of sovereignty and power that protects the people of one state from the dictated policy preferences of another. It allows those governments closest to the people to determine the policies that impact daily life -- at least that's how it was designed.

The Erosion of Federalism

The structural safeguards protecting state and federal power against what Justice Kennedy called the "incursions of the other," have unfortunately eroded. The 17th Amendment in 1913 that called for the direct, popular election of U.S. Senators dealt a significant blow to the original constitutional bulwark. After 1913, the several states no longer had direct representation in Congress, as their Senators were no longer elected by their legislatures. The Amendment's effect was tempered for several years, despite the agenda of the early Progressive movement to expand federal authority, because the Supreme Court took a relatively narrow view of national powers in those days. That view, however, would evolve.

In the late 1930s and early 40s, under tremendous pressure from President Roosevelt, the Supreme Court began taking a broader perspective of the scope of federal power. In so doing, the Court radically redrew the lines between "local" and "national" interests, and shifted the delicate balance of power and sovereignty in Washington's favor.

Perhaps the Court's most infamous decision on federalism, *Wickard v. Filburn*, started just outside Dayton, Ohio. At issue was the federal quota limiting the amount of wheat that farmers could legally grow. Montgomery County farmer, Roscoe Filburn, grew his quota, but also grew some extra wheat for his family's own consumption. Federal authorities charged Mr. Filburn with violating the federal quota, and Filburn challenged Congress's authority to regulate the size of his personal crop -- he had no intention, after all, to sell his personal family portion across state lines. Thus, argued the farmer, he was not engaged in interstate commerce and therefore was beyond federal reach. In its 1942 decision, the Supreme Court disagreed.

The *Wickard* Court held that Mr. Filburn's personal wheat consumption could be aggregated with other farmers who might also plant their own wheat, and that, when aggregated, these personal portions could impact the national wheat market. Such a potential impact, said the Court, brought Mr. Filburn's private wheat stock within Congress's authority under Article I, Section 8 to "regulate commerce with foreign nations, and among the several states."

Since then, the country's balance of sovereignty has never been the same, as virtually any facet of local, daily life -- once aggregated -- could be construed to have a national impact. In fact, it would be more than 50 years after Mr. Filburn's case before the Supreme Court would find a federal law exceeding the outer limits of Congress's authority to regulate interstate commerce.

The effect of such a shift in the balance of power was summarized more recently by Justice Clarence Thomas, who wrote:

"There is a danger to concentrating too much, as well as too little, power in the Federal Government. This Court has carefully avoided stripping Congress of its ability to regulate *interstate* commerce, but it has casually allowed the Federal Government to strip States of their ability to regulate *intrastate* commerce -- not to mention a host of local activities..."

Unfortunately, the Constitution's Interstate Commerce Clause has not been the only lever that Congress has pulled to further shrink the sphere of the several states. When the ever-elastic powers of the Commerce Clause are not enough to impose Washington's will,

Congress often resorts to Don Corleone's famously effective approach in *The Godfather* -- and makes the states an offer they can't refuse.

That offer typically involves Congress sending states vast sums of federal money in exchange for states doing what Congress is not otherwise authorized to do. For example, Congress's once-popular but now widely-criticized Crime Bill of 1996 offered money to states if they would increase prison sentences for those convicted under state law. Here, Congress inserted itself into local criminal justice matters that had been traditionally -- and for good reason -- left entirely to the state and local authorities. The money, however, was too much to resist and many states obediently rewrote their criminal statutes in order to take Uncle Sam's cash. Like the Commerce Clause, the Supreme Court has found precious little beyond Congress's so-called Spending Power-a coercive power that Chief Justice Roberts once called "a gun to the head."

Collectively, or "in the aggregate," constitutional amendments and the Supreme Court's reinterpretation of constitutional authority have eroded the safeguards of federalism over the years. The structural lines that protected each political sovereign from the "incursions of the other" have been undeniably blurred. But there is hope.

The Future of Federalism

Few would argue that federalism today remains the robust stalwart against federal encroachment that James Madison and Alexander Hamilton had envisioned. The ebbs and flows of history and jurisprudence have taken their toll. But the constitutional structure that originally "split the atom of sovereignty" still remains, and it affords opportunities for states to assert their prerogatives once again. To do that, state attorneys general must continue to vigorously defend state sovereignty against federal action in court. Regrettably, such resistance will likely need to become the norm and not the exception if Ohio and her sister states are to restore the rightful balance of constitutional power.

And you, serving as the legislature, will also need to join the fight. In the last session, the General Assembly stood up for Ohio by limiting federal efforts to circumvent protections that you extended your constituents through civil asset forfeiture reform. You wisely closed a loophole in the federal Equitable Sharing program that had allowed law enforcement to evade state restrictions on civil forfeiture and take property from those who had never even been charged with a crime.

But more than just closing loopholes, you can actively resist the temptation to take federal dollars that Congress offers to entice Ohio to do its bidding. As we all know, those dollars inevitably dry-up and all that's left are growing piles of red-tape and state debt. By resisting

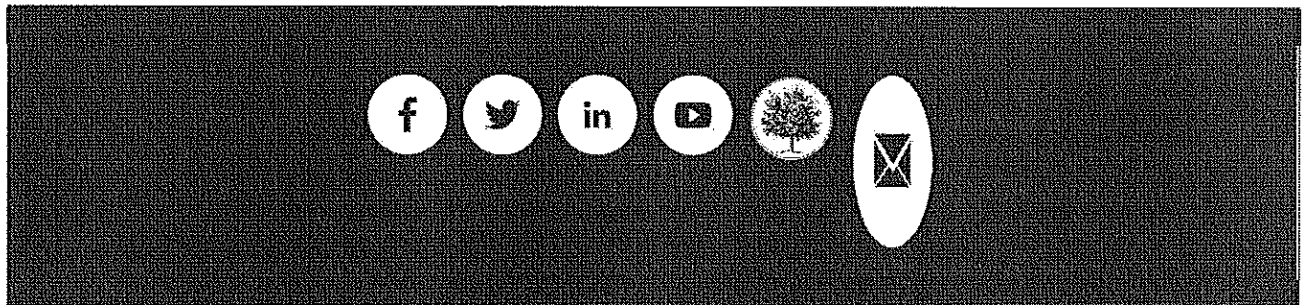
the siren song of Congress, Ohio can once again begin to safeguard her own sovereign, political interests. As Chief Justice Roberts quipped a few years ago, "The States are separate and independent sovereigns. Sometimes they have to act like it."

Thank you for the opportunity to address this important subject today. I would be happy to answer any questions you might have.

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution - a think tank - whose mission is to advance free-market public policy in the states.

The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.



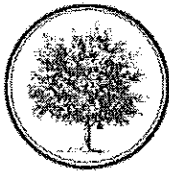
The Buckeye Institute, 88 East Broad Street,
Suite 1120, Columbus, OH 43215

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Sent by info@buckeyeinstitute.org

From: The Buckeye Institute
Sent: Tuesday, May 22, 2018 4:15 PM
To: Miller, Brad
Subject: The Buckeye Institute: Ohio Shouldn't Regulate Professions Unless There is a Risk to Public Safety



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE
May 22, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

**The Buckeye Institute: Ohio Shouldn't Regulate
Professions Unless There is a Risk to Public Safety**
*Greg Lawson Testifies before the Ohio House
Economic Development, Commerce, and Labor Committee*

Columbus, OH -- The Buckeye Institute's Greg R. Lawson testified today (see full text below or **download a PDF**) before the Ohio House Economic Development, Commerce, and Labor Committee on the policies in House Bill 504.

In his testimony, Lawson noted that while House Bill 504 is not an occupational licensing bill, "as a permissive certification, the bill would effectively expand the scope of practice for those who seek the new certification," and The Buckeye Institute "continue[s] to discourage the direct regulation of any specific profession unless there is a verifiable public safety risk."

###

**Interested Party Testimony Before the Ohio House
Economic Development, Commerce, and Labor Committee on
House Bill 504**

Greg R. Lawson, Research Fellow

The Buckeye Institute
May 22, 2018

Chairman Young, Ranking Member Lepore-Hagan, and members of the Committee, thank you for the opportunity to testify today regarding House Bill 504.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution-a think tank-whose mission is to advance free-market public policy in the states.

Ohioans should not have to ask the state for permission to earn their living. Yet, all too often, Ohio's occupational licensing requirements serve as "permission slip" policies that make it harder-and sometimes impossible-for Ohioans and would-be Ohioans to pursue their careers and put food on the table for their families. Such policies must end.

Enter House Bill 504. First, The Buckeye Institute appreciates that this bill is not technically a licensure bill for interior designers. As a permissive certification, the bill would effectively expand the scope of practice for those who seek the new certification.

Under the proposed bill, certified interior designers would be permitted to submit plans directly to building code officials rather than having to work under the direction or supervision of an architect or engineer, as is presently the case. These steps are better than prior proposals that would have required a license to be an interior designer. However, we continue to discourage the direct regulation of any specific profession unless there is a verifiable public safety risk.

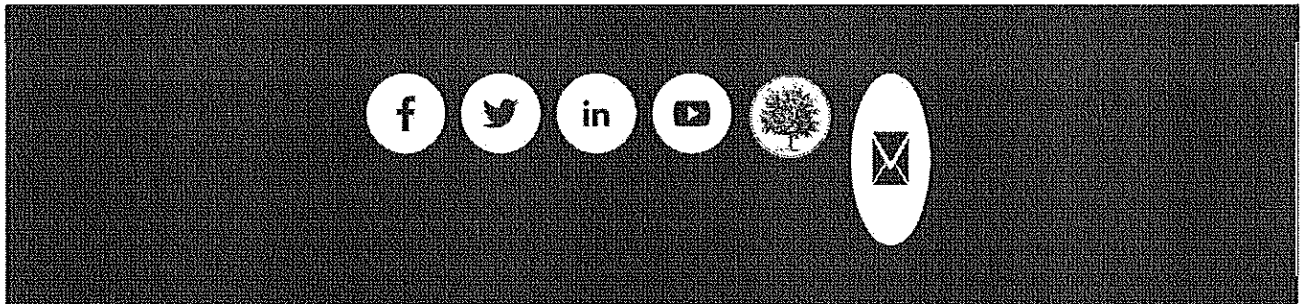
Second, The Buckeye Institute respectfully suggests that the Committee consider clarifying potential professional liability issues that House Bill 504 may unintentionally create. Expanding the scope of practice for interior designers by permitting them to submit plans to building officials should make the certified designer-and not the architect or engineer-liable for any problems that arise from the designer's submitted designs. As written, however, the bill does not make clear if this would in fact be the case.

Thank you for your time and consideration. I welcome any questions the Committee might have.

###

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The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.



The Buckeye Institute, 88 East Broad Street,
Suite 1120, Columbus, OH 43215

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Sent by info@buckeyeinstitute.org

From: Thomas, AJ
Sent: Wednesday, May 23, 2018 11:20 AM
To: House_All
Subject: ALERT- HAPPENING NOW: Deconstructing the Administrative State Luncheon

Come on up to the 31st Floor!

From: Thomas, AJ
Sent: Tuesday, May 15, 2018 9:34 AM
To: Thomas, AJ <AJ.Thomas@ohiohouse.gov>
Subject: RE: Deconstructing the Administrative State Luncheon

Make sure to respond by **this Friday 5/18** for a free lunch! See below:

From: Thomas, AJ
Sent: Friday, May 11, 2018 11:50 AM
To: Thomas, AJ <AJ.Thomas@ohiohouse.gov>
Subject: Deconstructing the Administrative State Luncheon

Hello! Had enough of bureaucracy? Tired of all the red tape? Concerned about rogue agencies seemingly operating impervious to oversight? I am, too!

A wise man once said, "There is no such thing as a free lunch," but he was wrong!

On Wednesday May 23rd there will be a panel discussion of HB580 featuring the American Principles Project's Erin Tuttle, Greg Lawson of The Buckeye Institute, and Micah Derry of Americans for Prosperity. It will be moderated by Representative Andy Thompson. There will also be a free lunch provided by the parties in question.

House Bill 580, adds oversight and transparency to Ohio executive agencies' applications for federal grants, in an effort to control the rise of the administrative state. The discussion will include how the bureaucracy of our federal and state governments has grown over time, and how this administrative growth has specifically hurt the State of Ohio through federal grants and mandates. We will discuss how HB580 will help address the problem we have with a rising administrative state, and institute oversight via the executive branch.

WHERE: 31st Fl. North Room

WHEN: Wednesday May 23rd from 11:00-12:15

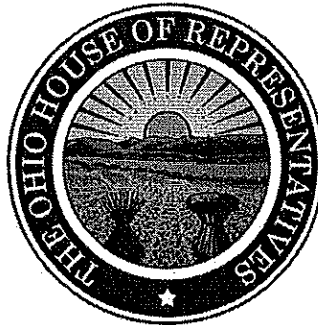
WHO: All Members and Staff are invited

Please RSVP to AJ Thomas (AJ.Thomas@ohiohouse.gov) by Friday May 18th so we may have a count for lunch.

We hope to see you there!

Andrew M. Thompson

Andy Thompson
State Representative
House District 95

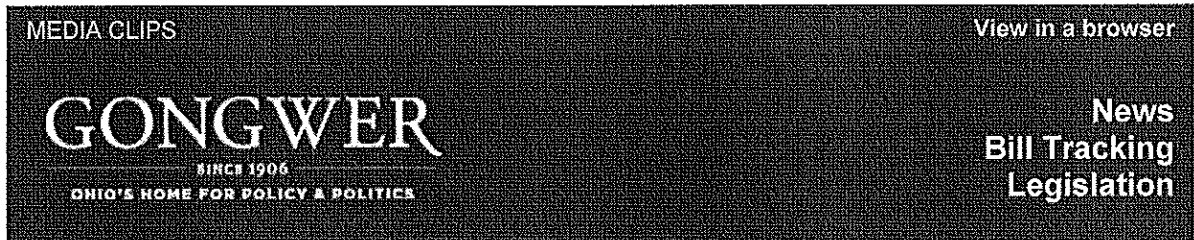


THE BUCKEYE INSTITUTE



AMERICANS FOR
PROSPERITY

From: Gongwer News Service
Sent: Thursday, May 31, 2018 8:25 AM
To: Miller, Brad
Subject: Ohio Media Clips, Thursday, May 31



NEWS

Trump signs bill for terminal patients to try unproven drugs (Akron Beacon Journal, 5/31/2018)

Group says Ohio needs office to lobby for more military jobs (Associated Press, 5/31/2018)

Mike DeWine says right-to-work is not on his agenda. So did GOP governors who later supported it. (Cleveland Plain Dealer, 5/31/2018)

Paul Ryan to attend Troy Balderson fundraiser in suburban Columbus (Cleveland Plain Dealer, 5/31/2018)

Questions about funding stall Ohio bail-reform bill (Cleveland Plain Dealer, 5/31/2018)

State Rep. Scott Lipps wears his last name with a smile (Cleveland Plain Dealer, 5/31/2018)

Brown-Portman bill would give fentanyl detectors to law enforcement (Columbus Dispatch, 5/31/2018)

Democratic group assails Balderson on ECOT campaign cash (Columbus Dispatch, 5/31/2018)

Group says Ohio needs office to lobby for military jobs (Columbus Dispatch, 5/31/2018)

Speaker feud continues as Smith backers call for immediate vote
(Columbus Dispatch, 5/31/2018)

Bill would push Ohio schools to open after Labor Day (Dayton Daily News, 5/31/2018)

Dayton company part of 'clean energy' movement that could create 20K Ohio jobs (Dayton Daily News, 5/31/2018)

Dems want to pin ECOT blame on GOP in fall election: What's really going on (Dayton Daily News, 5/31/2018)

Ohio House speaker candidate demands immediate vote (Toledo Blade, 5/31/2018)

Lawmakers losing patience get the promise of a light at the end of the tunnel (WDTN, 5/31/2018)

EDITORIALS

Beacon Journal/Ohio.com editorial board: Listening to voters, the ACLU of Ohio way (Akron Beacon Journal, 5/31/2018)

A troubling window into Army Corps machinations over Cuyahoga River dredge: editorial (Cleveland Plain Dealer, 5/31/2018)

Decisions made in Columbus are forcing local tax increases (Cleveland Plain Dealer, 5/31/2018)

Editorial: Only one real choice in Ohio House speaker mess (Columbus Dispatch, 5/31/2018)

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From: Westlake, Libby
Sent: Thursday, May 31, 2018 8:44 AM
To: Westlake, Libby
Subject: E-Clips for 5/31/2018

HOUSE E-CLIPS 5/31/2018



GROUP SAYS OHIO NEEDS OFFICE TO LOBBY FOR MILITARY JOBS

Ohio needs an agency that would help put the state at the forefront of military development and lobby for its current bases, a statewide committee recommended.



DEMOCRATIC GROUP ASSAILS BALDERSON ON ECOT CAMPAIGN CASH

An independent organization backing Democrats launched a digital TV commercial against U.S. House Republican candidate Troy Balderson for not giving up \$10,000 in campaign contributions to the founder of defunct online school ECOT.

SPEAKER FEUD CONTINUES AS SMITH BACKERS CALL FOR IMMEDIATE VOTE

Stressing that they are not the ones keeping the House from conducting business, Rep. Ryan Smith and about 25 of his supporters gathered Wednesday to urge a speaker's vote be called as soon as Thursday.

EDITORIAL: ONLY ONE REAL CHOICE IN OHIO HOUSE SPEAKER MESS

The unprecedented breakdown of leadership in the Ohio House of Representatives is about one thing — serving one member's ambition to be speaker come January — and it's time for it to stop.



BILL WOULD PUSH OHIO SCHOOLS TO OPEN AFTER LABOR DAY

A bill calling for Ohio schools to begin the academic year after Labor Day had its second hearing before the Ohio House Education Committee last week.

THE PLAIN DEALER

MIKE DEWINE SAYS RIGHT-TO-WORK IS NOT ON HIS AGENDA. SO DID GOP GOVERNORS WHO LATER SUPPORTED IT.

Attorney General Mike DeWine, the Republican nominee for governor, side-stepped questions on Wednesday about whether he would support so-called right-to-work legislation.

STATE REP. SCOTT LIPPS WEARS HIS LAST NAME WITH A SMILE

In the halls of the Ohio Statehouse, it's usually not hard to guess which lawmaker is state Rep. Scott Lipps.

PAUL RYAN TO ATTEND TROY BALDERSON FUNDRAISER IN SUBURBAN COLUMBUS

U.S. House Speaker Paul Ryan is set to be in suburban Columbus on Wednesday afternoon for a fundraiser on behalf of 12th Congressional District Republican nominee Troy Balderson, according to Balderson's campaign.

THE BLADE One of America's Great Newspapers

REAGAN TOKES RALLY TO PROMOTE SELF-DEFENSE, LEGISLATIVE REFORMS

In a public park less than five miles from where Reagan Tokes was killed 16 months ago, a rally will be held next week to retell her story and promote self-defense and legislative reforms to prevent that story from being repeated.

OHIO HOUSE SPEAKER CANDIDATE DEMANDS IMMEDIATE VOTE

The leading candidate to be Ohio's next House speaker insisted Wednesday on an immediate vote of the chamber rather than a change in rules to allow the current second-in-command to perform the duties of the job but without the title.

From: Best, Carolyn
Sent: Thursday, May 31, 2018 10:00 AM
To: Miller, Brad
Subject:

Carolyn Best

Director of Communications
Ohio House of Representatives/Majority Caucus
77 S. High Street, Columbus, Ohio 43215
Office Phone: 614.644.1739
Cell Phone: 740.815.9635

Thursday, May 31, 2018

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Capitol Letter

Laura Hancock and Jeremy Pelzer



Planned Parenthood student volunteer Je'la Hopkins of Akron addresses a crowd of 90 of the organization's supporters Wednesday in front of the Ohio Supreme Court. The rally was focused on a proposal by President Donald Trump to prohibit recipients, such as Planned Parenthood, of federal family planning dollars from providing abortions or sharing information about where a woman could get the procedure, which opponents call a gag rule. (Laura Hancock /Capitol Letter)

Rotunda Rumblings

The waiting game: House speaker hopeful Ryan Smith predicted Wednesday that lawmakers will decide to hold a speaker vote June 6 (one

of two options put forward by Speaker Pro Tem Kirk Schuring) and elect Smith to serve through the end of the year. During a Statehouse news conference, however, Smith and many of his legislative allies – including Democratic Rep. Bernadine Kent – pushed to hold a vote immediately, though they admitted they didn't have the 50 members needed to force the House into session. Smith said he's collected "a large number" (he wouldn't give an exact number) of letters of support from members as a way to track how lawmakers are voting -- both on whether to hold a speaker vote next week, and, if so, who they'll vote for.

Growing apart: Schuring was one of 47 Republicans to back Smith for speaker during a caucus vote earlier this month. But since then, the Canton Republican has irked Smith – first by unilaterally canceling a speaker vote last week, then by reaching a deal with Ohio GOP Chair Jane Timken and Rep. Larry Householder (Smith's nemesis) to have Schuring preside the rest of the year. Asked about his relationship with Schuring, Smith said Wednesday, "We haven't spoke a lot lately."

Executive assistance? Speaking at the Smith news conference, Rep. Mike Duffey noted that Gov. John Kasich can call a special session of the House to vote on a speaker. "The governor has a role – we can break this logjam," the Columbus-area Republican said. But Smith was cool to the idea, saying he hasn't asked Kasich to get involved. "Honestly, this is a House issue. It should be solved with the people in the House," Smith said. Kasich previously indicated he wants to stay on the sidelines, telling reporters, "They'll figure it out."

Going under: A newly introduced bill would clarify that registered nurse anesthetists don't have to have to work under the immediate supervision of a physician, podiatrist or dentist. Senate Bill 301 also would allow nurse anesthetists to prescribe medication to patients before or after surgery, such as anti-nausea medicines, said Kellie Deeter of the Ohio State Association of Nurse Anesthetists, which supports the bill. Prescriptions would be limited to only those that are administered at the hospital or clinic, and not drugs patients take home, she said. A similar bill is in the House, Deeter said. But House Bill 191 was introduced in April and has only had one hearing.

Meting out a justice: An Ohio House bill would allow judges to carry firearms in courthouses. Some Ohio judges can pack heat, some cannot – depending on local rules. House Bill 622, which is being considered by the House Federalism and Interstate Relations Committee, would end the patchwork of rules to permit all judges to carry firearms, sponsor Rep. Rick Perales said. The bill comes after the August ambush-style shooting of Jefferson County Judge Joseph Bruzzese Jr., who survived the attack. Bruzzese was also armed and exchanged gunfire with the attacker, Nathaniel Richmond, who was ultimately shot and killed by a probation officer.

Fresh START: None of the 47 Ohio families in a year-old pilot program aimed at reducing childhood trauma associated with drug abuse have dropped out, according to a preliminary state report released Wednesday. One of the families is expected to graduate from Ohio START soon. START stands for Sobriety, Treatment and Reducing Trauma, and thus far, the program has received \$400,000 from the Ohio Attorney General's office. It's serving families in 17 hard-hit counties. It is modeled after a program in Kentucky and is based on groundbreaking 1998 research about adverse childhood experiences. Children who live in homes with abuse, neglect, substance abuse or other traumas tend to have poorer life outcomes than other children. Ohio University researchers are fully evaluating the program and will produce a more comprehensive report later, the AG's office said.

Stories We're Talking About

Will he or won't he? Attorney General Mike DeWine wouldn't say Wednesday if he'd support right-to-work legislation, cleveland.com's Seth A. Richardson reports. DeWine said it wasn't on his agenda, but plenty of other Republican governors have said the same thing, only to support right-to-work full-throttle after being elected.

Bail-reform bill stalled: "A statewide bail-reform bill, greeted enthusiastically by liberals and conservatives when it was introduced in December, is hung up in the Ohio House of Representatives' Criminal Justice Committee," cleveland.com's Peter Krouse reports. The bill calls for judges to rely less on bail by using objective risk-assessment methods.

State Rep. Nathan Manning said a major concern holding up the is how to pay for data collection.

Ryan fly-in: Republican state Sen. Troy Balderson's congressional campaign got a boost Wednesday as U.S. House Speaker Paul Ryan was the guest at a fundraiser in suburban Columbus, Capitol Letter's Jeremy Pelzer reports. Balderson is seeking to succeed Rep. Pat Tiberi in an Aug. 7 special election against Democrat Danny O'Connor.

Betting on the future: The Toledo Blade's Jim Provance takes a look at what might lie ahead in Ohio now that the U.S. Supreme Court has cleared the way for states to legalize sports betting. "One approach would keep it within the walls of where major gambling already takes place - at the Las Vegas-style casinos in Toledo, Cleveland, Columbus, and Cincinnati and seven racetrack slots parlors," Provance writes. "Another plan would spread the wealth across the state to sports bars, restaurants, bowling alleys, and fraternal organizations like the Veterans of Foreign Wars and Elks."

Householder holding up House? The Columbus Dispatch's editorial board blames Rep. Larry Householder for the chamber being in limbo, not having a leader and not having sessions to pass laws. In its Thursday editorial, the newspaper also chronicles Householder's past as speaker and concludes, "This is not the man to restore the dignity and competence of the Ohio House."

More ECOT drama: Republican Auditor Dave Yost is seeking a formal role in the court case involving the closure of the controversial online charter school ECOT, the Associated Press reports. An audit Yost released earlier this month concludes the school might have committed fraud. Yost's Democratic opponent in the attorney general's race, Steve Dettelbach, however, says Yost should recuse himself because of his past relationship with the school and campaign contributions he received in the past from the school's founder.

Full Disclosure

Five things we learned from Rep. Fred Strahorn's April 9 financial

disclosure statement. Strahorn, Dayton Democrat, is the minority leader in the Ohio House and is up for re-election in November.

1. Outside the legislature, Strahorn worked as a real estate agent for Coldwell Banker Realty, reporting having earned up to \$999 in 2017. As a lawmaker, he earned \$90,775 last year, according to the Ohio State Treasurer's office.
2. He has a pension with the Ohio Public Employees Retirement System.
3. At some point in 2017, he owed at least \$1,000 each to Capital One and Wright-Patt Credit Union.
4. He went on a trip to Israel hosted by Ohio Jewish Communities, which gave him a \$65 plaque and paid for \$1,548.27 in flights, hotels and ground transportation, \$160.87 for a tour guide, a \$30 admission to Masada, the \$64.76 cost to swim in the Dead Sea and eat lunch and an extra \$562.46 that was associated with the trip but was unspecified what it paid for.
5. He reported Community Blight Solutions paid for \$431.03 in food and beverages during the Israel trip.

What's Going On Today

8:30 a.m. – Rob Portman to attend opioid roundtable: The Republican U.S. senator is set to participate in a discussion with the Alcohol and Drug Addiction Services Board of Lorain County, the Lorain County Drug Free Community Coalition and first responders. *The Lakehouse, Veterans Memorial Park, 32756 Lake Rd., Avon Lake.*

9 a.m. – House State and Local Government Committee: Members of the committee may amend and vote on legislation to require a percentage of state contracts to be awarded to women-owned businesses ([House Bill 492](#)) and to ban the use of gas chambers to euthanize animals ([House Bill 552](#)). *Room 116, Ohio Statehouse.*

10 a.m. – State Employment Relations Board. *12th floor, 65 E. State St.*

1:30 p.m. – Batchelder to be inducted into the Ohio Senior Citizens Hall of Fame: Ex-Ohio House Speaker Bill Batchelder and 11 others are set to be inducted during a ceremony with lawmakers and state officials. *Atrium, Ohio Statehouse.*

3 p.m. – House Aging and Long Term Care Committee: The panel may vote on legislation designed to curb fraud against the elderly (Senate Bill 158) and give retirement credit to teacher assistants involved in county board of developmental disabilities schools and programs (House Bill 572). *Room 122, Ohio Statehouse.*

Straight From The Source

"Rumpled clothing is my go-to tactic to avoid being mistaken for a lobbyist or elected official at the Statehouse."

- Hannah News Service reporter Noah Blundo, on Twitter.

One of our aims with Capitol Letter is frequent communication with you, the reader. We value your thoughts and suggestions about the newsletter. What do you think of it? What features do you like? What could we do better? Is there a topic you'd like to see us address? And what time would you like to receive the newsletter? We've been sending it at about 6:15 a.m. Would you like it to arrive earlier? We value your feedback and are committed to making Capitol Letter your essential first read of the morning. Email us at Capitolletter@cleveland.com.

To ensure receipt of our emails, please add cleveland.com newsletters@update.cleveland.com to your address book or safe sender list. You received this email because you opted-in to the newsletter. Was it forwarded to you? Sign up now!

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From: Willamowski, Sheila
Sent: Friday, June 1, 2018 10:49 AM
To: 'Scott Peterson'
Subject: RE: Public Records Request Response

Dear Mr. Peterson,

Thank you for your email. As previously discussed – and provided to you - the Ohio House utilizes a retention schedule. As regarding text messages, the Ohio Supreme Court has not made this area of the law particularly clear. However, when a request includes text messages, our office *always* directs the staff in the requested office to include that in the search they conduct in that office and with their member (if included in the request). Representative Seitz simply has had no responsive records for you in that medium.

I hope this information is helpful.

Sincerely,

Sheila Louise Willamowski
Deputy Legal Counsel
House Republican Caucus
Ohio House of Representatives
Sheila.willamowski@ohiohouse.gov
614.466.2179

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From: Scott Peterson <scott@checksandbalancesproject.org>
Sent: Friday, May 25, 2018 12:04 PM
To: Willamowski, Sheila <Sheila.Willamowski@ohiohouse.gov>
Cc: Greiner, John C. <JGreiner@Graydon.law>
Subject: RE: Public Records Request Response

Dear Ms. Willamowski,

That's very curious. Rep. Seitz is a member of the board of governors of ALEC, and apparently the finance committee. But he never communicates with them?

We note that this is our third request in which we asked for "Public and private text messages" but in all of the responses the subject of text messages has been ignored. Why is that?

Scott Peterson
Executive Director
Checks and Balances Project

703.722.6688 (direct)
571.344.4446 (mobile)

Checksandbalancesproject.org
scott@checksandbalancesproject.org

From: Sheila.Willamowski@ohiohouse.gov <Sheila.Willamowski@ohiohouse.gov>
Sent: Friday, May 25, 2018 10:37 AM
To: Scott Peterson <scott@checksandbalancesproject.org>
Subject: Public Records Request Response

Dear Mr. Peterson,

On March 27, 2018, our office acknowledged your public records request made to the office of Rep. Bill Seitz for various records related to ALEC.

The responsive records are attached. There is a total of one attachment. No redactions were made.

This concludes our response to your request. Please note that we are continuing to process your most recent request, along with a large number of additional requests received prior to your most recent request.

Please contact our office if you have any questions. Thank you.

Sincerely,

Sheila Louise Willamowski
Deputy Legal Counsel
House Republican Caucus
Ohio House of Representatives

Sheila.willamowski@ohiohouse.gov
614.466.2179

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From: Capitol Letter
Sent: Tuesday, June 5, 2018 6:15 AM
To: Miller, Brad
Subject: 56 medical marijuana dispensary winners announced

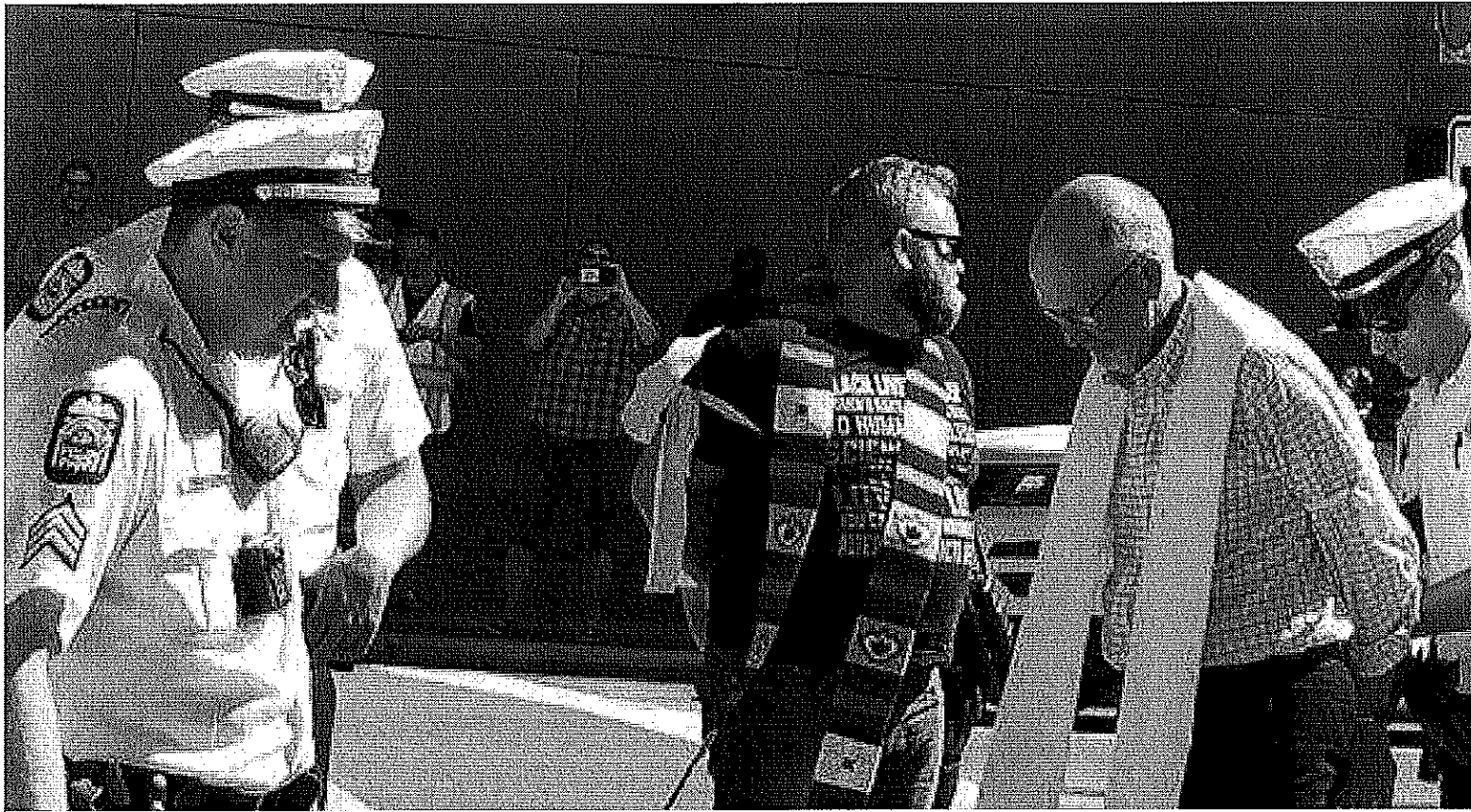
Tuesday, June 5, 2018

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Capitol Letter

Laura Hancock and Jeremy Pelzer



Columbus police arrested nine demonstrators with the Poor People's Campaign who had been in the street during Monday afternoon rush hour, including Dan Clark, in the colorful stole, pastor at St. John's Church in Columbus, and Roger Osgood in the white stole, pastor of Heights Christian Church in Shaker Heights. The campaign, which demonstrated near the Ohio Statehouse, wants renewable energy, universal health care, services for people with disabilities and a repeal of the 2017 federal tax law, among other issues. (Laura Hancock/cleveland.com)

Rotunda Rumblings

Pot shops: The state announced 56 winners of provisional medical marijuana dispensaries Monday. Want to know if any shops will be in your town? [Cleveland.com's Jackie Borchardt has the list](https://www.cleveland.com/news/2018/01/20-pot-shops-in-cleveland.html) and their addresses.

Voting help, at your service: New Ohio Senate legislation would require the secretary of state to create an office specifically to help military service members vote absentee while on active duty. Under [Senate Bill 305](https://legis.ohio.gov/bills/130/1305), the Office for the Uniformed Services Absent Voter would educate military voters before they deploy about their voting options and would be notified

when a voter may miss an election because they're on active duty. Bill sponsor Sen. Frank LaRose, the Republican nominee for secretary of state who served overseas as a U.S. Army Green Beret, stated in a letter to his Senate colleagues that a 2014 poll found two-thirds of military personnel were not confident their vote would be counted or found the absentee-voting process overly complex.

Supreme score: The company that chops up a "slag mountain" near Youngstown to turn it into road-building material is entitled to a reduction in state taxes, the Ohio Supreme Court ruled last week. The court unanimously decided that the Ohio tax commissioner wrongly assessed the tax owed on repair parts and fuel for machinery that Lafarge North America uses to break slag, a byproduct of the steel-making process.

Recounting the details: Republican 12th Congressional District candidate Melanie Leneghan has requested a \$2,880 recount in 48 precincts across four counties, according to a letter sent to Franklin County elections officials. Leneghan, who lost the May 8 primary to state Sen. Troy Balderson by 653 votes, has asked for a recount in 21 precincts in Franklin County, 16 in Muskingum County, six in Licking County and five in Delaware County. The recount is set to start on Wednesday and could take several days, according to elections officials. Leneghan only asked to re-tabulate votes in the primary in which Balderson was nominated for the November election. The November winner will serve a full two-year term beginning next year. She did not challenge a primary the same day in which Balderson won the GOP nomination for an Aug. 7 special election. The winner of that election will only serve until the end of this year.

Scheduling note: While the Ohio House appears close to ending the deadlock over electing an interim speaker, it's still unclear when the chamber might start addressing its growing backlog of bills. According to House Republican spokesman Brad Miller, the election for speaker will be the only item on Wednesday's House agenda, and it hasn't yet been decided when the House would meet after that to vote on legislation before breaking for the summer.

Have your cake: The U.S. Supreme Court ruled in favor of a Colorado baker who refused to make wedding cakes for same-sex couples on

religious grounds, reports cleveland.com's Sabrina Eaton. The case doesn't allow store owners to discriminate against same-sex couples broadly, but instead focused on Colorado officials' comments during the case, which the court found violated the baker's First Amendment rights.

"Trade wars are good, and easy to win": If you pulled Canada in your office trade war pool, congratulations. You're the winner. Canadian Prime Minister Justin Trudeau announced he would impose retaliatory tariffs, and Ohio would be one of the hardest hit in the nation with \$1.75 billion in goods affected. Cleveland.com's Robin Goist breaks down what industries might feel the squeeze.

It's not even vest season: Multiple agents with the Bureau of Criminal Investigation are wearing vests that are completely out of style – so much so that they are expired and potentially dangerous to the officers. Julie Carr Smyth of the Associated Press reports on a union complaint that listed 53 of 99 special agents, investigators and personnel transport workers whose Kevlar vests are past the five-year expiration date.

Mental health: It's been 10 years since the state closed Twin Valley – the inpatient psychiatric hospital in Dayton – and the move has proved to be a drain on resources, according to the Daily Dayton News. Instead of having a place to house patients with mental illnesses, law enforcement is often dispatched to do so after they commit a crime.

Surprising the competition: The districts in Ohio are gerrymandered to favor Republicans, but the current political climate has at least two congressional Republicans playing defense, Jack Torry of The Columbus Dispatch writes. U.S. Rep. Steve Chabot has a competitive race in the Cincinnati area against Hamilton County Clerk of Courts Aftab Pureval in a district that could flip. But also playing D is U.S. Rep. Bob Gibbs, who is facing an aggressive campaign from veteran Ken Harbaugh.

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Full Disclosure

Five things we learned from state Rep. John Boccieri's April 9 financial disclosure statement. Boccieri, a Mahoning County Democrat and former congressman, is running this November for Senate District 33.

1. In addition to working as a state lawmaker, he also works as a pilot with United Airlines and as a pilot and squadron commander with the U.S. Air Force Reserve.
2. On top of his annual legislative salary of \$60,584, Boccieri's two other jobs as a pilot each earned him \$50,000 to \$99,999 in 2017.
3. He listed investments of at least \$1,000 each in more than a dozen mutual funds, as well as in 19 different stocks and exchange-traded funds – including Google and Berkshire Hathaway.
4. During 2017, the Ohio House of Representatives reimbursed him \$4,330 in official travel expenses.
5. Boccieri also holds licenses to sell property, casualty, life and health insurance, as well as products such as mutual funds and variable annuities.

On the Move

Brittany Warner has been hired as director of communications for Republican Mike DeWine's gubernatorial campaign. She's moving over from managing Sen. Frank LaRose's Republican campaign for secretary of state. A former Ohio Republican Party spokeswoman, Warner got the job after Ryan Stubenrauch, who handled communications for DeWine's campaign during the primary, left for a private media consulting firm.

Grant Shaffer is LaRose's new campaign manager. Shaffer worked for Lt. Gov. Mary Taylor's gubernatorial campaign and New Day for America, the super PAC that supported Gov. John Kasich's presidential bid.

Joshua Eck has officially been named the DeWine campaign's press secretary and spokesman; the former secretary of state spokesman has already been handling similar duties for the campaign.

Michael Hall will serve as the DeWine campaign's policy director. Hall most recently worked as a partner in the public affairs and government law group at Ice Miller, a Columbus law firm.

Birthdays

Erin Sutter, Buckeye Institute's manager of strategic partnerships

Straight From The Source

"This is a big win for the First Amendment and religious freedom, and a brutal defeat for government activists who are hostile to people of faith."

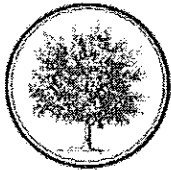
- Ken Blackwell, a Republican and former Ohio secretary of state and treasurer, commenting on Twitter about Monday's U.S. Supreme Court ruling that a Colorado baker can refuse on religious grounds to make a wedding cake for a gay couple.

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From: The Buckeye Institute
Sent: Tuesday, June 5, 2018 11:22 AM
To: Miller, Brad
Subject: The Buckeye Institute Urges Ohio Policymakers to Pursue Systemic Tax Reform



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

June 5, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute Urges Ohio Policymakers to Pursue Systemic Tax Reform

Greg Lawson Testifies Before the Ohio House Ways and Means Committee

Columbus, OH -- The Buckeye Institute's Greg R. Lawson testified today (see full text below or **download a PDF**) before the Ohio House Ways and Means Committee on House Bill 333.

In opening his testimony, Lawson noted that "nullifying tax penalties and making the tax code fairer for taxpayers is...laudable" and, quoting from a **study** by the American Enterprise Institute and the Brookings Institute, further highlighted the "significant correlation between marriage, poverty, and economic growth."

Lawson also noted that the "new marriage neutrality is only necessary because Ohio's tax code remains tragically progressive," and went on to say the policy "addresses but one symptom of a bed-ridden patient without offering any lasting cure."

The cure, Lawson said, is systemic change to Ohio's tax code that would include reforming the municipal income tax structure and would create a tax system that is pro-growth, simple, transparent, fair, and equitable, as outlined in Buckeye's *Tax Reform Principles for Ohio*.

Lawson applauded the efforts of policymakers to eliminate Ohio's marriage penalty, but urged them to pursue "fundamental changes" that will spur economic growth and help families "climb the ladder of prosperity."

#

**Interested Party Testimony Before the Ohio House
Ways and Means Committee on House Bill 333**

**Greg R. Lawson, Research Fellow
The Buckeye Institute
June 5, 2018**

Chairman Schaffer, Ranking Member Rogers, and members of the Committee, thank you for the opportunity to testify today regarding House Bill 333.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

House Bill 333 will annul the "marriage penalty" currently wedded to Ohio's personal state income tax. Nullifying tax penalties and making the tax code fairer for taxpayers is, of course, laudable. Eliminating this particular penalty -- and thereby encouraging, rather than discouraging marriage -- is especially worthwhile considering the significant correlation between marriage, poverty, and economic growth.

Last year, for instance, the American Enterprise Institute (AEI) and Brookings Institute found that "Less than half of poor Americans age 18 to 55 (just 26 percent) and 39 percent of working-class Americans are currently married, compared to more than half (56 percent) of middle- and upper-class Americans,"[1] indicating a strong connection between the matrimonial bond and economic status.

Using "models that control for a range of factors...that might otherwise confound the family-economy link at the state level," an earlier AEI study concluded in 2015:

"Higher levels of marriage, and especially higher levels of married-parent families, are strongly associated with more economic growth, more economic mobility, less child poverty, and higher median family income at the state level in the United States. When we compare states in the top quintile of married-parent families with those in the bottom quintile, we find that being in the top quintile is associated with a \$1,451 higher per capita

GDP, 10.5 percent greater upward income mobility for children from lower-income families, a 13.2 percent decline in the child poverty rate, and a \$3,654 higher median family income."[2]

Thus, on purely socio-economic policy grounds, policymakers should reduce if not eliminate disincentives to marry. The tax code's disincentives or the so-called "marriage penalties" arise when two people with similar incomes get married and jointly file their tax returns.[3] When the newly-weds combine their incomes and file jointly, they enter a higher bracket than if they chose to remain single and file separately.[4] This higher tax liability penalizes marriage -- effectively using the tax code to pick winners (those who do not marry) and losers (married couples filing jointly). When governments pick winners and losers, people tend to suffer.

HB 333 offers relief to a large number of Ohio families currently losing an unfair tax game because it allows married joint-filers to claim a new tax credit such that they would pay no more than if they could legally file separately. Such tax relief is good.

But HB 333's new marriage neutrality, of course, is only necessary because Ohio's tax code remains tragically progressive. Describing the similarly progressive federal tax code's "marriage penalties," Congress' Joint Committee on Taxation once explained:

"The current tax system is progressive: as a taxpayer's income rises, the tax burden increases as a percentage of income. It also taxes married couples with equal income equally: it specifies the married couple as the tax unit so that married couples with the same income pay the same tax. However, it is not marriage neutral."[5]

Although HB 333 takes a positive step forward in the fight against unfair taxation, it is important to recognize its limitations. It addresses but one symptom of a bed-ridden patient without offering any lasting cure. Even after HB 333 nullifies the state's marriage penalty, Ohio will still suffer from its growth-killing disease: progressive taxation. Indeed, after accounting for the state's municipal income tax structure -- the worst local tax system in America -- Ohio ranks in the upper half of the nation in combined state and local tax burden.[6] And removing the state's marriage penalty, unfortunately, will not do enough to change that.

More systemic changes are needed. As The Buckeye Institute explained in our *Tax Reform Principles for Ohio*,[7] the state's tax code should be pro-growth, simple, transparent, fair, and equitable.[8] Flatter taxes on broader bases, without special exemptions, will lower the tax burden and spread their cost more evenly and fairly among taxpayers. Streamlining and simplifying the local tax structure will help, too. So although we applaud the efforts to end

the state's marriage penalty, more fundamental work remains to be done. Settling only for superficial remedies without pursuing more fundamental changes, without working to structurally reform the state's progressive taxation, Ohio will continue to be plagued by mediocre economic growth that has kept families from climbing the ladder of prosperity for decades.[9]

Thank you for your time and consideration. I welcome any questions the Committee might have.

[1] W. Bradford Wilcox and Wendy Wang, *The Marriage Divide: How and Why Working-Class Families are More Fragile Today*, The American Enterprise Institute and Brookings Institute, September 2017.

[2] W. Bradford Wilcox, Robert I. Lerman, and Joseph Price, *Strong Families, Prosperous States: Do Healthy Families Affect the Wealth of States?*, American Enterprise Institute, October 19, 2015.

[3] Kyle Pomerleau, *Understanding the Marriage Penalty and Marriage Bonus*, Tax Foundation, April 23, 2015.

[4] *Ibid.*

[5] Staff for the Joint Committee on Taxation, *Fairness and Tax Policy*, Joint Committee on Taxation, March 3, 2015.

[6] Katherine Loughhead, *State and Local Individual Income Tax Collections Per Capita*, Tax Foundation, May 31, 2018.

[7] Rea Hederman Jr., Tom Lampman, Greg R. Lawson, and Joe Nichols, *Tax Reform Principles for Ohio*, The Buckeye Institute, February 2, 2015.

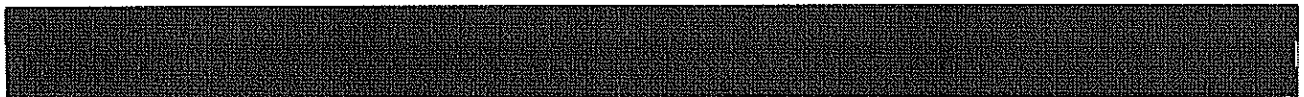
[8] *Ibid.*

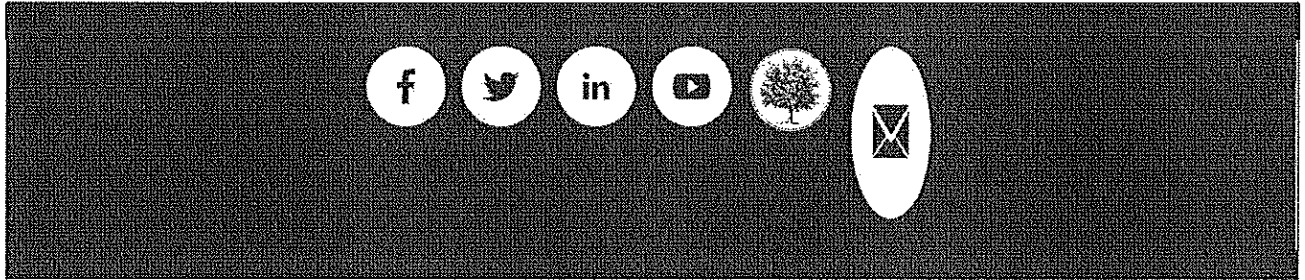
[9] Rich Exner, *Ranking Ohio Governors for Jobs: John Kasich's Current Term is a Lot Like Ted Strickland's Record vs. the U.S.*, Cleveland.com, May 22, 2018.

###

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From: The Buckeye Institute
Sent: Wednesday, June 6, 2018 5:37 PM
To: Miller, Brad
Subject: The Buckeye Institute: Energy Mandates and Subsidies Harm Ohio's Economy



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE
June 6, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute: Energy Mandates and Subsidies Harm Ohio's Economy

Greg Lawson Testifies Before the Ohio Senate Energy and Natural Resources Committee

Columbus, OH -- The Buckeye Institute's Greg R. Lawson testified today (see full text below or **download a PDF**) before the Ohio Senate Energy and Natural Resources Committee on House Bill 114.

In setting the context for his testimony, Lawson told policymakers that The Buckeye Institute "support[s] renewable energy and encourage[s] the growth of the renewable energy industry in Ohio. But we do not support government-imposed energy mandates of any kind. Our position against government mandates extends far beyond the renewable energy sector...The Buckeye Institute consistently opposes any mandates, subsidies, or bailouts for any energy resource."

Lawson went on to outline the harm Ohio's Renewable Portfolio Standard (RPS), even the lower standards in the Senate's version of House Bill 114, would inflict on the state's economy. "If the RPS mandates cap out at 8.5 percent, as proposed in the substitute version of House Bill 114, and the price of renewable energy credits increases to historical highs, we expect employment to be 1.4 percent less and the state's GDP to be 1.3 percent smaller. Such reductions will mean 63,000 fewer jobs in Ohio by the time the RPS is fully implemented."

Reminding policymakers that the RPS functions like a tax on electricity "by increasing the product's price without providing the consumer with any additional benefit or value," Lawson highlighted the reliability of Buckeye's dynamic macroeconomic model over static input-output models in assessing potential economic impacts of policies like RPS. "Input-output models fail to account correctly for behavioral changes such as the effects that a price increase has on electricity demand and total output -- especially in energy-intensive industries...Thus, unlike other studies, our analysis accounts for economic realities like higher electricity prices and non-green sector layoffs rather than assuming or wishing them away."

###

**Interested Party Testimony Before the Ohio Senate Energy
and Natural Resources Committee on House Bill 114**

**Greg R. Lawson, Research Fellow
The Buckeye Institute
June 6, 2018**

Chairman Balderson, Vice Chair Jordan, Ranking Member O'Brien, and members of the Committee, thank you for the opportunity to testify today regarding renewable energy and House Bill 114.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

Members of this committee have diligently worked to find a responsible path forward for Ohio's renewable energy policy. And we appreciate that. We also recognize that the Renewable Portfolio Standard (RPS) would be modified in the Senate's substitute version of House Bill 114 to max out at 8.5 percent in 2022 rather than continue the march up Mandate Mountain to 12.5 percent in 2026 as under current law. Although that substitution certainly improves the status quo, we do not support Ohio having any RPS mandate.

To be clear, we support renewable energy and encourage the growth of the renewable energy industry in Ohio. But we do not support government-imposed energy mandates of any kind. Our position against government mandates extends far beyond the renewable energy sector. As our previous testimony against the Ohio Valley Electric Company

bailouts[1] and the Zero Emissions Nuclear Resource Program[2] made clear, The Buckeye Institute consistently opposes any mandates, subsidies, or bailouts for any energy resource.

On principle, we maintain that all customers, whether residential, commercial, or industrial, should remain free to use and purchase from a menu of energy options voluntarily. Government mandates that require quotas and compelled consumption not only infringe upon such freedom but are, in fact, unnecessary in today's energy market.

The Business Council for Sustainable Energy recently found, for example, that 18 percent of all energy generation in the United States comes from renewable sources,[3] which means that consumers are already choosing renewable energy. Furthermore, large renewable energy consumers like Amazon and EnerBlu just enlarged their footprint in Kentucky, right next door -- and Kentucky does not have renewable energy mandates.[4] EnerBlu, in fact, relocated its headquarters to Kentucky just this spring.[5] Other financial incentives perhaps enticed these companies to expand in Kentucky, but they did so voluntarily, choosing a non-RPS state over Ohio.

As they make Ohio less attractive and less competitive for businesses, energy mandates will generate their own harmful downstream effects on the state's economy.

Last year, The Buckeye Institute's Economic Research Center used its dynamic macroeconomic model to study the potential effects of Ohio's current RPS program under four different scenarios (explained in the **attached Appendix**).[6] Using historical data from the Public Utilities Commission, we calculated the percent increase in electricity prices caused by the cost of RPS compliance. Under the RPS, electricity providers purchase renewable energy credits -- or RECs -- which add expenses above and beyond the cost of buying and distributing wholesale electricity. Providers pass that additional cost on to consumers. Thus, RPS functions very much like a tax on electricity by increasing the product's price without providing the consumer with any additional benefit or value. Our dynamic economic model applied past and projected price increases caused by RPS to estimate the effect of this tax on state GDP and employment growth. The results, though not surprising, should concern this Committee as the model revealed that RPS reduces Ohio's GDP and curbs job growth across the state by increasing the costs of producing energy.

If, for example, the RPS mandates cap out at 8.5 percent, as proposed in the substitute version of House Bill 114, and the price of renewable energy credits increases to historical highs, we expect employment to be 1.4 percent less and the state's GDP to be 1.3 percent smaller. Such reductions will mean 63,000 fewer jobs in Ohio by the time the RPS is fully implemented. Even if REC prices remain constant at historical lows as the mandates

resume to 8.5 percent, Ohio will employ 25,400 fewer people and produce nearly \$2.8 billion less output by the final year of compliance.[7]

Advocates of the RPS mandates contend that increasing investments and job growth in the renewable energy sector offsets the program's economic costs and losses. Our model accounts for such green job growth. By using Ohio's historical RPS, electricity, and employment data, our model calculates green job growth and changes to non-green sectors attributable to the mandate. The model found that green job growth did not make up for the heavier job losses in other sectors.

Other studies, of course, claim to find economic benefits from RPS programs. Our model and analysis, however, better reflects the likely economic effects of the policy because it is closely tailored to the renewable mandate and does not conflate RPS costs with reduced bills from energy-efficiency mandates. Moreover, our fully documented and transparent model is dynamic, showing changes over time, and does not rely on a static input-output analysis.[8]

Dynamic economic models are better suited than static input-output models for assessing the potential economic impacts of policies like RPS. Input-output models fail to account correctly for behavioral changes such as the effects that a price increase has on electricity demand and total output -- especially in energy-intensive industries.[9] In other words, static input-output models incorrectly assume that green jobs will be created without taking resources away from other, non-green sectors of the economy. In theory, however, the increase in electricity prices caused by the RPS should force job losses and reductions in hiring growth in other sectors that do not receive the benefits of the mandate -- and our findings confirm that theory. Thus, unlike other studies, our analysis accounts for economic realities like higher electricity prices and non-green sector layoffs rather than assuming or wishing them away.

Before concluding, I would like to highlight a problem with the current and proposed wind turbine setback rules. The current rule restricts the wind energy industry too severely. Unfortunately, House Bill 114 proposes a flawed solution to the current restrictions that will likely do further damage to property rights in Ohio.

Wind setback rules create a classic property rights conflict. Landowners have a right to place windmills on their property, but their neighbors also have a right to enjoy their own property. Unfortunately, the current setback rule -- requiring the consent of every neighbor adjacent to the proposed windmill -- fails to answer this rudimentary property law question correctly. Neighbors should not hold an absolute veto power over what other property owners may and may not do on their own land. But the proposed solution in House Bill 114

that reduces the setback distance between the windmill and the neighbors is unsatisfactory as well because it infringes upon the neighbors' right to enjoy their property free of windmills.

The answer lies in compensation. Landowners who want windmills should be required to pay their neighbors fair compensation for the windmills' effect on the neighbors' enjoyment of their property. State law should embrace and recognize the property interests of both parties -- without subjugating one to the other -- and facilitate negotiations for fair compensation that must be paid to directly affected landowners. Preserving vetoes and shrinking setbacks are well-intended, half-measures that unfortunately threaten to exacerbate the current conflict rather than resolve it.

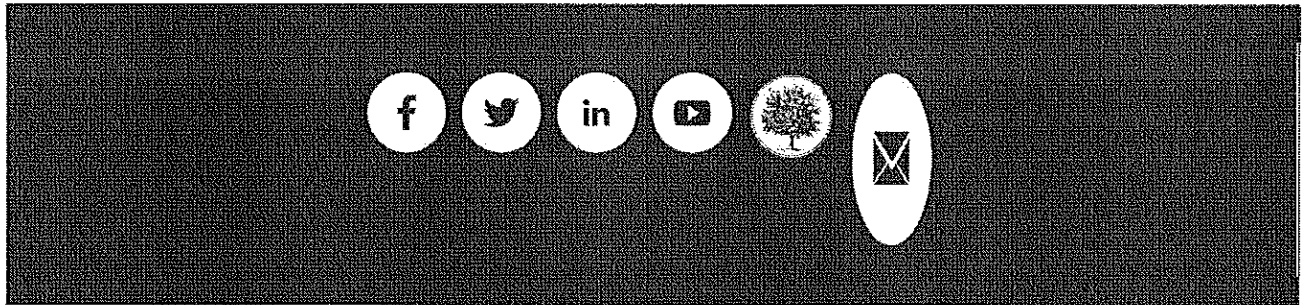
Thank you for your time. I would be happy to answer any questions from the Committee.

-
- [1] Greg R. Lawson, research fellow, The Buckeye Institute, Testimony Before the Ohio House Public Utilities Committee, "Utility Subsidies Hurt Competition and Hurt Ohio," October 3, 2017.
- [2] Joe Nichols, *An Ohio Cure for the Nuclear Subsidy Contagion*, *Akron Beacon Journal/Ohio.com*, July 18, 2017.
- [3] **2018 Fact Book: Sustainable Energy in America, Executive Summary**, Bloomberg New Energy Finance and the Business Council for Sustainable Energy, February 15, 2018.
- [4] Dees Stribling, *Amazon Moving Ahead With Prime Air Hub at Cincinnati/Northern Kentucky International Airport*, *Bisnow National*, May 4, 2018.
- [5] *EnerBlu Completes Relocation of Corporate Headquarters to Lexington, Kentucky*, EnerBlu press release, May 2, 2018.
- [6] Orphe Divounguy PhD., Rea S. Hederman Jr., Joe Nichols, and Lukas Spitzwieser, *Economic Research Center Analysis: The Impact of Renewables Portfolio Standards on the Ohio Economy*, The Buckeye Institute, March 3, 2017.
- [7] REC prices likely will rise for three reasons. First, demand for RECs will grow as (1) annual compliance targets increase in states with existing RPS laws, (2) many states (e.g., New York and California) seek to increase existing or implement new RPS targets, and (3) companies (e.g., Amazon and Facebook) seek to offset more of their fossil fuel- and nuclear-generated electricity with renewables. Second, the demand for RECs will likely outpace the supply of renewable energy, causing REC prices to rise. Building new renewable generation sources greatly depends on federal tax credits and subsidies -- and the most significant of those are scheduled to sunset within the next three to seven years (i.e., 2020 for wind and 2024 for solar). With the Trump Administration in office for at least two more years, new federal support and regulations favoring renewable generation investments appear less likely.
- [8] Larry Dwyer, Peter Forsyth, and Ray Spurr, "Assessing the Economic Impacts of Events: A Computable General Equilibrium Approach," *Journal of Travel Research*, Volume 45, Issue 1 (August 2006) p. 59-66.
- [9] *Ibid.*

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Sent by info@buckeyeinstitute.org

From: Capitol Letter

Sent: Friday, June 8, 2018 6:15 AM

To: Miller, Brad

Subject: Payday loan restrictions among long list of measures adopted by House

Friday, June 8, 2018

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Capitol Letter

Laura Hancock and Jeremy Pelzer



A garden bed on the north side of the Ohio Statehouse showcases a poppy quilt design to commemorate the 100th anniversary of the end of World War I. (Laura Hancock/cleveland.com)

Rotunda Rumblings

The long and winding road: Meeting for a voting session for the first time in about eight weeks, the House adopted a long list of bills, including a measure that would restrict payday lenders' rates to 28 percent, down from an average 591 percent, writes cleveland.com's Laura Hancock. House Bill 123 now heads to the Senate, where there are plenty of opportunities for the bill to be altered or to sink.

Payday lender or loan shark? Is there really a difference between those

two terms. Cleveland.com's Eric Heisig has a piece exploring the question, along with some interesting history on the short-term loan.

One step for man, one giant leap for dogkind... Hancock reports that dogs are one step closer to lawfully accompanying their people to dinner, as long as they're chilling in outdoor restaurant patios. The Ohio Senate passed a measure to allow restaurant owners to choose if they want pups on patios.

Clearing the backlog: In all, the Ohio House on Thursday passed 17 bills, including measures to prohibit hospitals from forcing nurses to work overtime (House Bill 456) and allow payouts to Ohioans who are wrongfully imprisoned because of withheld evidence (House Bill 411). House members also concurred with the Senate's changes to an additional 11 bills. Among them: House Bill 225, which aims to help plug 700 orphaned and abandoned oil and gas wells in the state.

Leneghan to challenge OH-12 results: Republican Melanie Leneghan is drawing up paperwork to contest the results of last month's 12th Congressional District primary, claiming Muskingum County elections officials violated Ohio law by opening ballot containers before starting a recount. But an Ohio secretary of state's office spokesman told cleveland.com's Jeremy Pelzer that "there doesn't appear to be anything improper going on."

More cones of shame could come to Ohio: The House adopted a bill to give veterinarians continuing education credit for offering free spay and neuter services. House Bill 433 heads to the Senate.

Pay raises ahead: The House also undertook a number of bills that had been adopted by the Senate and contained "emergency clauses," or time-sensitive provisions. One of those bills was House Bill 292. Two weeks ago the Senate amended the bill to give 11,000 exempt state employees who are not members of unions a 2.75 pay raise to match the raise Ohio's largest public employees union had negotiated in its collective bargaining agreement. The raise will go into effect, assuming Gov. John Kasich signs it, during the pay period that includes July 1.

Commercial break is over: A month after the barrage of 12th Congressional District primary television ads stopped, a new wave of special-election ads is about to hit the Central Ohio airwaves. The Congressional Leadership Fund, a super PAC with ties to House GOP leadership, has purchased \$165,000 worth of broadcast TV ads between Friday and next Tuesday, according to Medium Buying, a political ad tracker.

Chairman Ryan: House Speaker Ryan Smith used to chair the influential House Finance Committee and has now given that job to Rep. Scott Ryan, a Columbus-area Republican.

A little work, a little play? Since the Ohio House went without a session for roughly eight weeks as a battle over the next speaker dragged on, new Speaker Ryan Smith has a full schedule planned for the chamber for the rest of the month – a time when lawmakers are usually on recess. The House will meet on June 20 and June 27, according to an updated House schedule. Smith said there will be a light committee meeting schedule, if any meet at all.

PEP in their step: PEP Connections, a Cuyahoga County behavioral health program for at-risk youth, will stay afloat for at least another year thanks to an appropriation added to a medical anti-discrimination bill, if Kasich signs off, [cleveland.com's Jackie Borchardt reports](#). The program faced a funding cliff July 1 because the state was ending a decades-long Medicaid waiver covering some of its costs to coincide with moving Medicaid behavioral health care payments to the managed care model. House Bill 332 gives the program \$2.5 million to use this year, and lawmakers hope the program can be replicated across the state.

Getting their day in (administrative) court: Hearings resume this month for medical marijuana cultivation applicants who appealed the state's licensing decisions, [Borchardt reports](#). The Department of Commerce put the hearings on hold in February after it discovered a scoring error and hired Ernst & Young to make sure scores for all 185 applicants checked out. The agency released Ernst & Young's initial report validating those scores on Thursday.

Your brain on drugs: The White House has a new anti-opioid ad campaign designed for shock value. It features the true stories of young people, including one from Ohio, who go to desperate lengths – including breaking their own bones – to get the addictive painkillers. Cleveland.com's Sabrina Eaton has the details and video of the commercials.

Get out of my way: U.S. Rep. Dave Joyce has introduced a bipartisan bill that would keep the federal government from interfering with states like Ohio that have legalized marijuana, Eaton reports. "We should trust the people of the states, like Ohio, who have voted to implement responsible common-sense regulations and requirements for the use, production, and sale of cannabis," said a statement from Joyce. "If the people of these states have decided to provide help for those veterans and others suffering from pain and other health issues, we should allow them access without government interference."

Uncle Joe supporting Sherrod: Former Vice President Joe Biden will headline a fundraiser for U.S. Sen. Sherrod Brown in Cleveland later this month, reports cleveland.com's Andrew Tobias. The appearance suggests Biden, a possible 2020 contender, is keeping his contacts fresh with Ohio Democrats. Brown is running for re-election against Republican U.S. Rep. Jim Renacci.

Kasich in Foreign Affairs: Ohio Gov. John Kasich laid out his case for a more open and globally engaged America in a lengthy piece that published in Foreign Affairs on Thursday. The essay, which touches on things like international trade, immigration and diplomacy with China, is the latest expression of Kasich's ongoing "Two Paths" mantra rebuking President Donald Trump.

Luck of the draw: Year-over-year revenues at gambling facilities in the Cleveland area in May were down 5 percent, while elsewhere across Ohio they were flat, writes cleveland.com's Rich Exner. An executive for JACK Casino in Cleveland said the drop is "100 percent attributable" to slightly luckier outcomes for players at the casino's table games.

Federal judges nominated: President Donald Trump on Thursday nominated two young attorneys to federal judicial spots on the 6th U.S.

Circuit Court of Appeals in Cincinnati, Heisig writes. They are Eric Murphy, 39, and Chad Readler, 45. Murphy is the state solicitor under Attorney General Mike DeWine. Readler is the principal deputy assistant attorney general in the Justice Department's civil division, and previously was chairman of the board for the Ohio Alliance for Public Charter Schools. Sen. Sherrod Brown said he would not support the nominees because he's not convinced they will support the rights of Ohioans, Heisig reports.

On the outs: "Ohio House Democrats took the highly unusual step Thursday of voting to kick Rep. Bernadine Kennedy Kent out of their caucus — and one or more of them are considering taking legal action against her," writes Jim Siegel of the Columbus Dispatch. Kennedy Kent, of Columbus, drew the ire of her colleagues when she wrote a letter to city officials using the signatures of members of the Ohio Legislative Black Caucus without their permission, Siegel reports.

Full Disclosure

Five things we learned from Springfield Republican Rep. Kyle Koehler's April 9 financial disclosure statement.

1. Koehler's first name actually is Jerome.
2. He reported earning \$100,000 or more in 2017 as vice president of design at K.K. Tool Co. He earned \$65,476 last year as a representative, according to the Ohio Treasurer's office.
3. He received \$113.76 in gifts or meals from lobbyists last year, including a \$51.74 unspecified gift from the Ohio Quarter Horse Association and attended Alvis Inc.'s 180 Degree Impact Luncheon, worth \$50.
4. The Ohio House Republican Organizational Committee paid \$2,371.20 for Koehler's travel.
5. At some point in 2017 he owed at least \$1,000 to Ally on a car loan, MBNA on a car loan and an MBNA credit card.

Birthdays

Amanda Wurst, vice president of communications, Remington Road Group

Straight From The Source

“The problem with this approach is, I think you’re seeing an escalation that may result in both higher tariffs -- which is bad for our exporters, our farmers, our service providers, our factory workers – but also bad for our consumers because you’re going to see tariffs or taxes going up on both sides.”

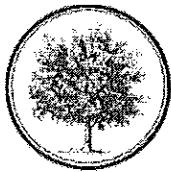
- Republican Ohio U.S. Sen. Rob Portman on CNN discussing the White House’s approach in negotiating the North American Free Trade Agreement with Canada at a time when President Donald Trump has announced tariffs.

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From: The Buckeye Institute
Sent: Monday, June 11, 2018 2:46 PM
To: Miller, Brad
Subject: U.S. Supreme Court Cites The Buckeye Institute's Brief in Upholding Ohio's Election Integrity Law



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

June 11, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

U.S. Supreme Court Cites The Buckeye Institute's Brief in Upholding Ohio's Election Integrity Law

Columbus, OH -- Today, the Supreme Court of the United States upheld Ohio's authority to ensure that the votes of its citizens are not diluted by voter fraud in the court's **decision in *Husted v. A. Philip Randolph Institute***. The Buckeye Institute filed an **amicus brief** in the case on August 7, 2017, which was cited in the Supreme Court decision.

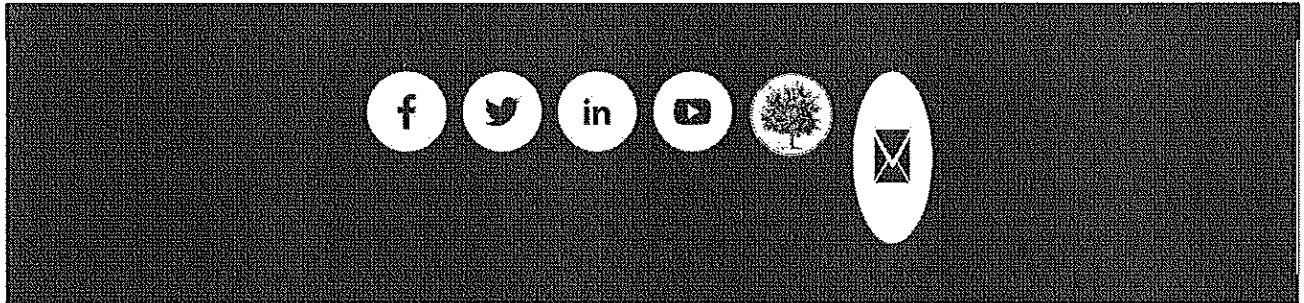
"We have a government of the people and by the people, and today the Supreme Court validated Ohio's process to assure that the peoples' voices are not drowned out by ineligible votes," said **Robert Alt**, president and chief executive officer at The Buckeye Institute. "Today, Ohioans and all Americans won. And in citing The Buckeye Institute's brief, the Supreme Court recognized the interest of states like Ohio to be vigilant and to employ screening procedures to ensure accurate voting rolls."

Ohio's case centered around the question of whether the state has the authority to maintain an accurate and up-to-date statewide database of registered voters. In its brief, Buckeye argued that the U.S. Constitution is clear in giving states authority over voter qualifications, and Ohio has a clear interest in making sure that only residents are able to vote in its elections. To do so, the state's voter rolls must be as accurate as possible. The Supreme Court noted that Ohio's process for voter removal follows federal law "to the letter."

###

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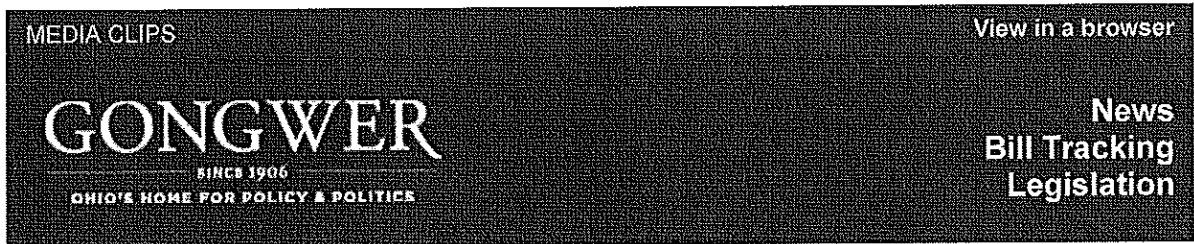
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From: Gongwer News Service
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To: Miller, Brad
Subject: Ohio Media Clips, Thursday, June 14



NEWS

Ex-Rep. Gabby Giffords speaks against gun violence in Ohio (Associated Press, 6/14/2018)

Ohio's top court hears arguments on promotions tax dispute (Associated Press, 6/14/2018)

Mike Pence will be met with dancing drag queens in Columbus (Cincinnati Enquirer, 6/14/2018)

Poll: Ohio voters want to send message to Trump (Cincinnati Enquirer, 6/14/2018)

This 2018 poll has lots to make Ohio GOP worry (Cincinnati Enquirer, 6/14/2018)

Businesses want loans to fix failing multi-employer pension system (Cleveland Plain Dealer, 6/14/2018)

Jim Renacci's Senate campaign is staffing up for November 2018 Ohio election (Cleveland Plain Dealer, 6/14/2018)

Ohio dark-money group broke campaign-finance rules, group claims (Cleveland Plain Dealer, 6/14/2018)

Richard Cordray, Mike DeWine tied in latest poll. Sherrod Brown up big ... again. (Cleveland Plain Dealer, 6/14/2018)

Brown confident jobs safe at defense agencies in Whitehall (Columbus Dispatch, 6/14/2018)

Businesses warn of dire threat if multiemployer pension crisis is not addressed (Columbus Dispatch, 6/14/2018)

DeWine fights union plea for clothing allowance payments (Columbus Dispatch, 6/14/2018)

DeWine, Portman will share spotlight during Pence visit (Columbus Dispatch, 6/14/2018)

List of Ohio doctors approved to recommend medical marijuana grows (Columbus Dispatch, 6/14/2018)

Partnership to free up more money for Ohio suicide prevention programs (Columbus Dispatch, 6/14/2018)

Quinnipiac poll: DeWine-Cordray race too close to call (Columbus Dispatch, 6/14/2018)

Republican auditor candidate says opponent doesn't understand job (Columbus Dispatch, 6/14/2018)

Gov. John Kasich more popular with Democrats in Ohio than Republicans, poll says (Dayton Daily News, 6/14/2018)

New polls show Sherrod Brown up big over Jim Renacci in US Senate race (Dayton Daily News, 6/14/2018)

Who is Rep. Jim Jordan's favorite liberal? The answer might surprise you. (Dayton Daily News, 6/14/2018)

Sen. Sherrod Brown: Farm Bill might aid Lake Erie (Toledo Blade, 6/14/2018)

EDITORIALS

Beacon Journal/Ohio.com editorial board: Forward with public universities (Akron Beacon Journal, 6/14/2018)

Editorial: Expect to hear 'voter purge' into November (Canton Repository, 6/14/2018)

Editorial: Voter registrations won't be canceled; Ohioans should use them (Columbus Dispatch, 6/14/2018)

Sutton: If DeWine opposes right-to-work he should say so (Youngstown Vindicator, 6/14/2018)

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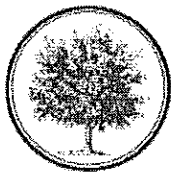
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From: The Buckeye Institute
Sent: Thursday, June 14, 2018 2:15 PM
To: Miller, Brad
Subject: The Buckeye Institute: Ohio Needs to Modernize its Medicaid Program



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

June 14, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute: Ohio Needs to Modernize its Medicaid Program

Columbus, OH -- The Buckeye Institute's Rea S. Hederman Jr., executive director of the Economic Research Center and vice president of policy, **submitted public comments** to the Centers for Medicare and Medicaid Services on **Ohio's work requirement waiver application**. These comments follow ones Hederman **submitted to the Ohio Department of Medicaid** on March 16, 2018.

"Ohio's community engagement waiver application is a good start at reforming the state's Medicaid program. It meets the federal government's test of budget neutrality and follows the guidelines on how to utilize waivers to fix our health insurance market," said Rea S. Hederman Jr., executive director of the **Economic Research Center** at The Buckeye Institute and vice president of policy. "The federal government has approved bolder waivers than Ohio's, which shows that the state needs to continue to modernize its Medicaid program to protect recipients and ensure the program's future sustainability."

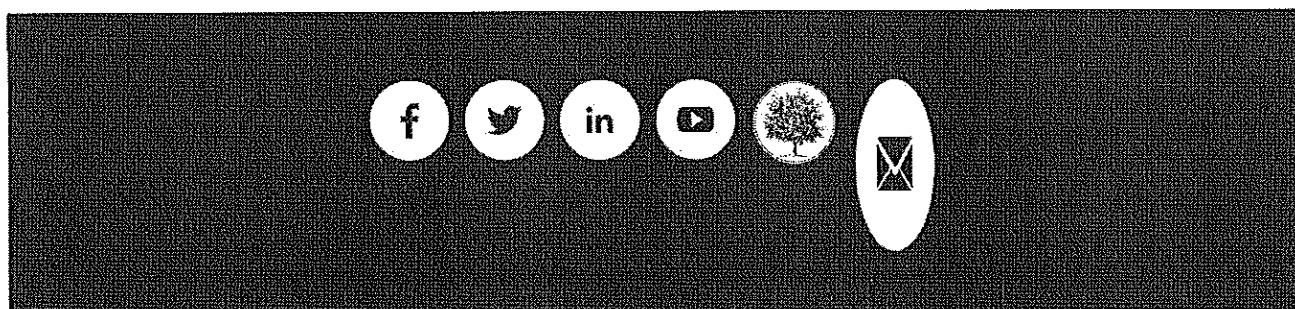
As he did in his comments on Ohio's waiver application, Hederman pointed out that Medicaid was drastically changed under the Affordable Care Act, saying, "Encouraging healthy, able-bodied adults to remain in the workforce or engage in other educational and training activities, Ohio's proposed Section 1115 waiver will enhance lifetime earnings, income, and health. By enhancing the health of the covered Medicaid enrollees, Ohio's proposed waiver meets the twin goals of the waiver demonstration project by promoting economic stability and improving health."

Hederman is a nationally recognized expert in health care policy. He was one of the first to propose using section 1332 waivers as a way to allow states to waive parts of the law and take back the ability to regulate their insurance markets. Hederman, and co-author Dennis G. Smith, outlined this approach in the report *Returning Health Care Power to the States*. More recently, in *Federal Efforts to Stabilize ACA Individual Markets through State Innovation*, a study for the **Mercatus Center** at George Mason University, Hederman and Doug Badger with the Galen Institute argue that Congress and the administration should empower states to devise new ways to make health insurance more affordable for more people.

###

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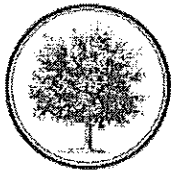
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From: The Buckeye Institute
Sent: Friday, June 15, 2018 10:37 AM
To: Miller, Brad
Subject: The Buckeye Institute: Ohio Shows Strong Signs of Recovery



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

June 15, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute: Ohio Shows Strong Signs of Recovery

Columbus, OH -- Andrew J. Kidd, Ph.D., an economist with The Buckeye Institute's Economic Research Center, commented on newly released employment data from the **Ohio Department of Job and Family Services** ([Click here to download the audio file](#)).

"For five straight months, Ohio's labor market has continued to show strong signs of recovery from the Great Recession. Since October 2016, Ohio's unemployment rate has fallen or remained steady and was 4.3 percent in May 2018. Despite the national unemployment rate falling to 3.8 percent, Ohio's labor force participation rate (62.8) was slightly higher than the national rate (62.7), showing a strengthening labor force, which continues to see job seekers finding good paying jobs. All of this shows positive signs for Ohioans.

"With 20,100 new non-farm, private-sector jobs added this month, Ohio's workforce has added more than 58,000 jobs this year alone. While construction jobs were a large component of this growth (12,900 jobs), manufacturing had the least growth, and could be harmed further by the Trump Administration's recently implemented tariffs. These protectionist policies have shown to hurt local economies and Ohio's national lawmakers need to ensure Ohioans in these industries are not harmed by such isolationist policies.

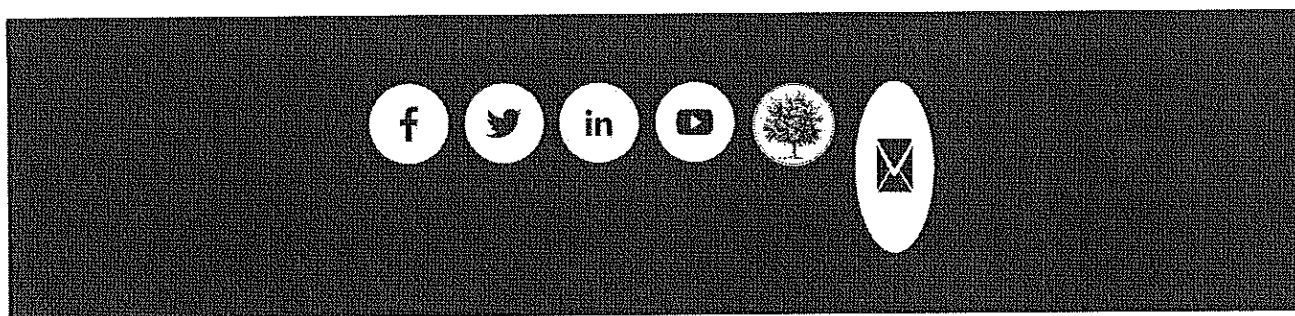
"Governor Kasich's tax cuts and policies, combined with the recently implement federal tax reform, have exhibited positive effects on Ohio's economy with a falling unemployment

rate and strong job growth. These pro-growth policies, designed for both Ohio's workers and producers, will continue this trend and bring economic prosperity to the Buckeye State."

###

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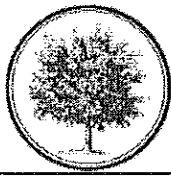
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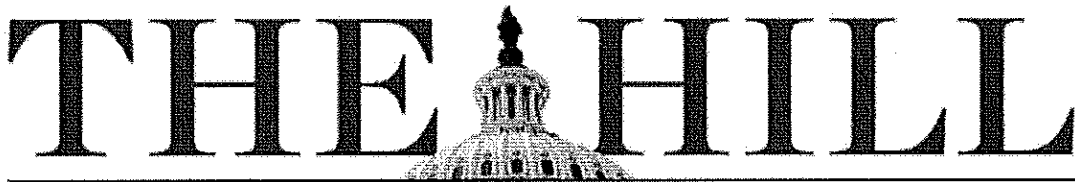
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From: The Buckeye Institute
Sent: Friday, June 15, 2018 1:02 PM
To: Miller, Brad
Subject: ICYMI: Rea Hederman Writes in The Hill about the Slow Pace of Change Coming out of Washington



THE BUCKEYE INSTITUTE

In *The Hill*, Buckeye's Rea S. Hederman Jr. looks at the slow pace of change coming out of Washington on health care reform, writing, "[The] administration is not ready to cooperate and work with the states to find innovative solutions to a problem that the states didn't create."



States must hold Trump to his word on working with them to solve ObamaCare

The Hill

By Rea S. Hederman Jr.
June 14, 2018

On the very day he was inaugurated, **President Trump issued his first executive order** directing all federal agencies to cooperate with and "provide greater flexibility to States" as they looked for ways to stop the premium pains of Obamacare. So far, 500 days later, that order has yet to be followed.

Sure, **Secretary of Health and Human Services Tom Price** and the **administrator of the Centers for Medicare and Medicaid Services Seema Verma** promptly called for innovative solutions and promised to work with states to numb the pain that Obamacare continues to inflict on health care markets. But actions always speak louder than words and, thus far at least, federal action has denied or delayed most of the state innovation waivers requested under Section 1332 of the Affordable Care Act.

Most recently, for example, HHS denied Ohio's waiver request to exempt Ohioans from Obamacare's individual mandate to buy health insurance. Ohio acknowledged that the penalty for violating the mandate will be \$0 in 2019, but it rightly worries that so long as the mandate remains the law the tax penalty could be reinstated. Ohio's application **followed the HHS blueprint** for innovation waivers, but HHS denied the state's request because it did not "describe the reason for the waiver request."

This most recent denial should concern every state for two reasons. First, because **Ohio did in fact give its reason for the waiver**, stating several times that it was needed because the individual mandate remained federal law even though new legislation had "zeroed out" the penalty. Perhaps the agency did not find Ohio's straightforward explanation "descriptive" enough. And second, because HHS took 45 days to deny Ohio's request on what amounts to a technicality after HHS failed to tell applicants that descriptive explanations must be submitted in precise ways in particular boxes on federal forms. Those 45 days for a pro-forma rejection letter are symptomatic of an agency that routinely takes the entire 225-day approval period to *deny* state applications.

Both concerns signal that despite the President's directive, his administration is not ready to cooperate and work with the states to find innovative solutions to a problem that the states didn't create. And both signal more of the same technocratic, bureaucratic thinking that we have come to expect from Washington -- and that's a shame.

Fortunately, there is still time for the Trump Administration to learn from nascent mistakes and for the states to hold the President to his word on working with them to solve the riddle of Obamacare.

Right now, states are reluctant to pitch their innovative reform ideas to Washington given how Washington has treated them. But assuming that HHS and the Treasury Department actually want to empower the states and will entertain the bold ideas, the administration can still take several steps in the right direction starting with rescinding or substantially revising the Obama-era guidance on Section 1332 waivers.

The Obama Administration's crabbed view of federal-state cooperation produced guidance that discourages states from pursuing meaningful reform under Section 1332. Rewriting that guidance with a more expansive view is long overdue. The Trump Administration's revised guidance should add flexibility to HHS's interpretation of Section 1332, and it should actually follow the plain text of the Affordable Care Act that specifically allows states to combine Medicaid and innovation waivers so that they can find more effective ways for citizens to get better health care coverage as they leave Medicaid. Short of this, Mr. Trump's HHS can and should at least layout more detailed model innovation waivers, similar to the **model reinsurance waiver** it provided, for states to follow.

Just hours after taking the oath of office, President Trump wrote a new prescription for state and federal officials to follow in the fight for health care reform. Unfortunately, more than a year later, that prescription remains unfilled by the President's own team, denying the country at least one source of medicine that it desperately needs.

*Rea S. Hederman Jr. is executive director of the Economic Research Center at The Buckeye Institute and vice president of policy. He is the co-author of **Returning Health Care Power to the States and Federal Efforts to Stabilize ACA Individual Markets through State Innovation**.*

###

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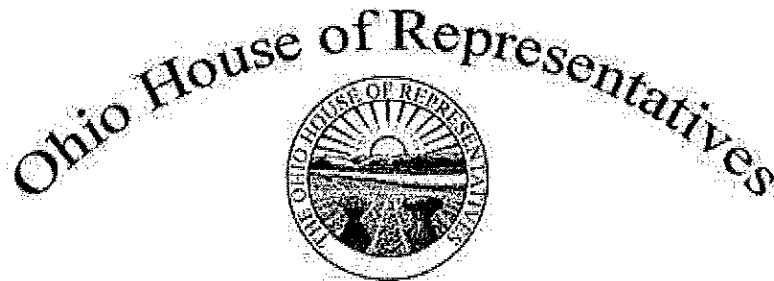
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From: Financial Institutions Housing & Urban Development Committee
Sent: Monday, June 18, 2018 9:37 AM
To: Financial Institutions Housing & Urban Development Committee
Subject: FIHUD Committee Announcement - *Revised*

AGENDA REVISIONS ARE IN RED



ANNOUNCEMENT OF COMMITTEE MEETING

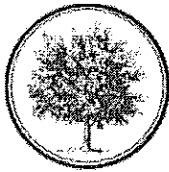
COMMITTEE: Financial Institutions, Housing, and Urban Development
CHAIR: Jonathan Dever
DATE: Tuesday June 19, 2018
TIME: 11:00 am
ROOM: 114

Agenda

<u>Bill</u>	<u>Sponsor</u>	<u>Title</u>	<u>Status</u>
H. B. No. 390	Rep. Merrin	Clarify computation of timelines for forcible entry and detainer	5th Hearing Poss. Vote Poss. Am. Prop/Opp/IP
H. B. No. 386	Rep. Henne, Rep. Kelly	Modify credit reporting agency fees for a credit report freeze	5th Hearing Poss. Vote Prop/Opp/IP

Please **send a copy** of any amendments and/or testimony and supporting documents to the **Chair's office no later than 11 AM on Monday, June 18, 2018**. Send all submissions to Melina.Tornero@ohiohouse.gov.

From: The Buckeye Institute
Sent: Tuesday, June 19, 2018 10:02 AM
To: Miller, Brad
Subject: The Buckeye Institute: Ohio Needs to Undertake Comprehensive Tax Reform, Not Pass New Taxes



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

June 19, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute: Ohio Needs to Undertake Comprehensive Tax Reform, Not Pass New Taxes

Greg Lawson Submits Testimony to the Ohio House Ways and Means Committee

Columbus, OH -- The Buckeye Institute's Greg R. Lawson submitted written testimony (see full text below or **download a PDF**) to the Ohio House Ways and Means Committee on House Bill 571.

In his testimony, Lawson outlined the benefits of online travel companies (OTC) in providing "an online service that customers and hotel operators may use as they see fit to meet their own shopping and business needs." However, as Lawson noted, "House Bill 571 threatens to interfere with this free-market process by extending the reach of local lodging taxes to include the OTCs' service fees," which, Lawson noted, **courts in 39 cases in 23 states** ruled could not be taxed as hotel occupancy taxes.

Rather, Lawson encouraged Ohio undertake comprehensive tax reform writing, "As tempting as House Bill 571 may be for some revenue collectors, Ohio must be careful not to allow or encourage local governments to impose harmful new -- and in this case, illegal -- taxes apart from a more balanced and comprehensive tax reform effort."

###

Interested Party Testimony on House Bill 571
Submitted to the Ohio House Ways and Means Committee

Greg R. Lawson, Research Fellow
The Buckeye Institute
June 19, 2018

Chairman Schaffer, Vice Chair Scherer, Ranking Member Rogers, and members of the Committee, thank you for the opportunity to offer written comments today regarding House Bill 571.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

Online travel companies -- or OTCs -- such as **Hotel.com** and Expedia facilitate transactions for consumers looking to book hotel rooms online. These companies make it easier to find and secure lodging options by making those options available at a one-stop website location where consumers can search for the best deal and book a room, rather than scouring the internet for individual hotel rates and availability on individual hotel websites.

OTCs provide an online service that customers and hotel operators may use as they see fit to meet their own shopping and business needs. Nothing compels hotels to use OTCs, they choose to do so voluntarily because they believe that it will increase their exposure, reach more customers, and lead to more bookings. In short, they believe that it helps their business prosper and many smaller, non-chain hotels use OTCs precisely for this reason, because OTCs provide a critical service that boosts their room sales.

Unfortunately, House Bill 571 threatens to interfere with this free-market process by extending the reach of local lodging taxes to include the OTCs' service fees.

Typically, customers who book rooms through an OTC will pay the same amount for their room as customers who book directly through a hotel website. The actual room rates that hotels receive for bookings made through an OTC, however, are generally lower than what the hotel would receive on rooms booked directly. The OTC keeps the difference -- effectively charging the hotel a service fee for facilitating the booking.

Local governments assess sales and lodging taxes based upon the actual room rates that hotels receive, not the prices paid by customers. Consequently, local governments collect less total tax on rooms booked through an OTC than they would on the same rooms booked

directly through the hotel. House Bill 571 would expand the local sales and lodging taxes to include an OTC's service fee.

It is not hard to understand that House Bill 571 could be attractive to local governments eager to collect more taxes, but the bill has at least one fatal flaw.

As proposed, House Bill 571 would assess a lodging tax on a service fee. Such taxes have already been held illegal in multiple cases across multiple jurisdictions. As the Legislative Service Commission has explained, the United States Court of Appeals for the Sixth Circuit -- with federal jurisdiction over Ohio -- has twice ruled that localities cannot impose lodging taxes on OTCs.[1] Other courts have made similar rulings recently in Texas and Illinois,[2] and as of early 2016, courts in 39 cases in 23 states had concluded that OTC services could not be taxed as hotel occupancy taxes.[3]

Furthermore, House Bill 571 would also apply a sales tax to OTC service fees. The Buckeye Institute remains open to discussing sales taxes on services as part of a comprehensive tax reform that would include eliminating the state personal income tax,[4] as well as other appropriate offsets that will make Ohio's tax system fairer, simpler, and more transparent.[5] Merely taxing OTC service fees without other comprehensive tax reforms would be nothing more than a selective tax increase imposed on only one service industry, and it would threaten to hurt profits, sales, and jobs.

Ohio's taxes are already too high, with an average combined state and local tax rate standing at more than seven percent.[6] Some Ohioans pay even higher combined rates in some communities where tax rates approach 10 percent[7] -- a level one might expect in high-tax states like New York.[8] High tax rates have real world consequences for workers, businesses, and states. As the Tax Foundation has demonstrated, people and jobs do in fact migrate from high-tax states to low-tax states -- and that migration will inevitably cost Ohio workers, businesses, and future economic opportunities.[9] Simply adding new taxes on services will not lighten Ohio's already burdensome tax load.

As tempting as House Bill 571 may be for some revenue collectors, Ohio must be careful not to allow or encourage local governments to impose harmful new -- and in this case, illegal -- taxes apart from a more balanced and comprehensive tax reform effort.

Thank you for the opportunity to submit this testimony.

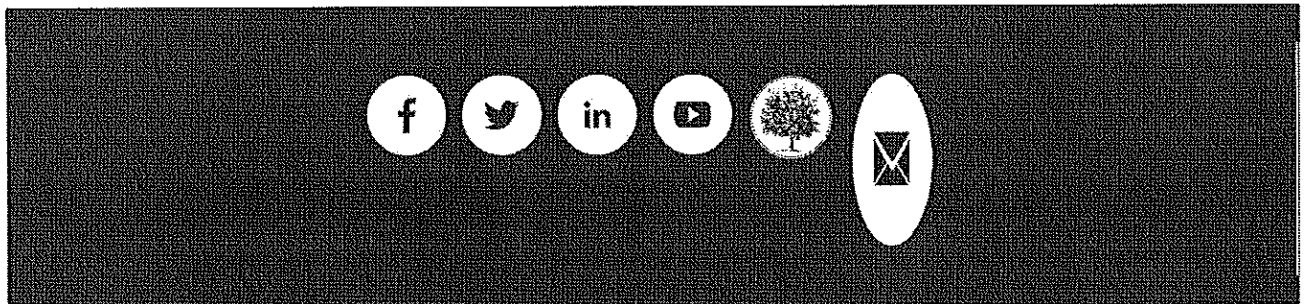
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- [2] Paul Stinson, **Online Travel Companies Prevail in \$84 Million Texas Tax Dispute**, Bloomberg Bureau of National Affairs, November 30, 2017.
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- [4] Greg R. Lawson, research fellow, The Buckeye Institute, **Testimony Before the Ohio House Ways and Means Committee**, March 15, 2015.
- [5] Rea Hederman Jr., Tom Lampman, Greg R. Lawson, and Joe Nichols, ***Tax Reform Principles for Ohio***, The Buckeye Institute, February 2, 2015.
- [6] Jared Walczak and Scott Drenkard, **State and Local Tax Rates 2018**, The Tax Foundation, February 13, 2018.
- [7] Morgan Scarboro, Scott Drenkard, and Rea S. Hederman Jr., ***Ohio Illustrated: A Visual Guide to Taxes and the Economy***, The Tax Foundation and The Buckeye Institute, June 2017.
- [8] *Ibid.*
- [9] **State to State Migration Data**, The Tax Foundation (Last visited June 14, 2018).

###

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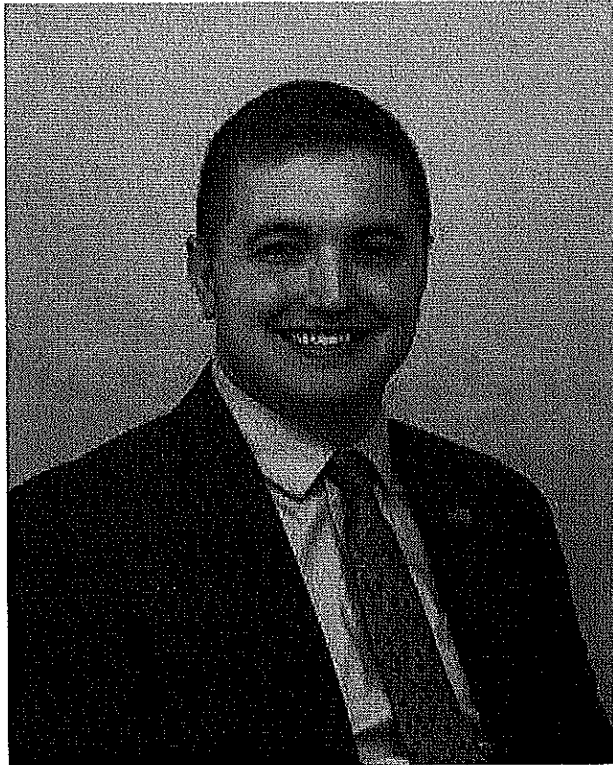
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Sent: Friday, June 22, 2018 3:42 PM
To: GOP_All
Subject: New GOP Additions

WELCOME

When you get a free minute, please make sure to introduce yourself and welcome the newest members of our team.



Tyler Herrmann, Deputy Legal Counsel / Policy Advisor

Tyler is from Harrison, Ohio and holds a Juris Doctorate from the University of Cincinnati and a Political Science degree from Wright State University. Tyler served in the United States Air Force as an Operations Intelligence Analyst NCO and currently serves as a JAG Attorney for the United States Army. He currently presides as the Chairman for the Ohio Chapter of the Republican National Lawyers Association, and as the Treasurer for the Cap City Young

Republicans. Tyler transferred to the House from the Attorney General's Office where he served as an Assistant Attorney General within the Executive Agencies Section.



James Kennedy, LA Merrin

James is from Palm City, Florida and an alum of Florida, Atlantic University where he graduated with a degree in Political Science. While in college he had the opportunity to serve as a Tax and Fiscal Policy Intern for the American Legislative Exchange Council (ALEC). James has an extensive research background serving as a Legal Research Analyst Intern for the Buckeye Institute and as a Political-Military Analyst Intern for the Hudson Institute. Prior to arriving to the House, he served as a Legislative Assistant for the Tennessee Legislation Service in Nashville. In James' free time, he enjoys collecting sports memorabilia and claims to have personally met nearly every

major league baseball
superstar.

Lauren Reid, LA Butler



Lauren is from Madison, Connecticut, and recently graduated from the University of Dayton with degrees in Criminal Justice and Political Science with a minor in Spanish. While at Dayton, she served as a Statehouse Civic Scholar, where she was assigned an internship working for the Governor's communication team. Lauren had the unique experience of traveling to Segovia, Spain, where she participated in a four-week immersion program. During the winter months whenever she gets the opportunity, she enjoys to snowmobile.

Craig Fleck

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From: report@hannah.com
Sent: Wednesday, June 27, 2018 10:19 AM
To: Miller, Brad
Subject: HANNAH NEWS UPDATE: SCOTUS Rules against Labor Unions

In the case of *Janus v. AFSCME*, the U.S. Supreme Court ruled 5-4 that it's unconstitutional for public-sector unions to require non-members to pay fees for collective bargaining activities. Read more in Wednesday's *Hannah Report*.

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Breaking News

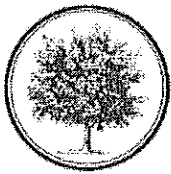
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From: The Buckeye Institute
Sent: Wednesday, June 27, 2018 10:47 AM
To: Miller, Brad
Subject: The Buckeye Institute: Reducing Ohio's Regulatory Burden Would Boost the Economy and Grow Jobs



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

June 27, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute: Reducing Ohio's Regulatory Burden Would Boost the Economy and Grow Jobs

*Greg Lawson Testifies Before the Ohio Senate
Transportation, Commerce, and Workforce Committee*

Columbus, OH -- The Buckeye Institute's Greg R. Lawson testified today (see full text below or **download a PDF**) before the Ohio Senate Transportation, Commerce, and Workforce Committee on Senate Bill 293.

In opening his testimony, Lawson recognized the importance of regulations that protect public health and safety, but pointed out that "Ohio desperately needs regulatory reform that eliminates unnecessary regulations that strangle private industry and enterprise as part of the state's broader reform efforts to boost economic growth."

Highlighting Ohio's onerous occupational licensing regime as a good place to begin reducing Ohio's regulatory burden, Lawson noted that the licensing requirements of professions such as auctioneers, travel guides, hairdressers, and flower arrangers, to name a few, do little-to-nothing to protect public health and safety, but add to Ohio's regulatory burden and Ohio's "economy and citizens suffer for it."

Lawson noted that Buckeye's research on **occupational licensing** and **forced government energy mandates** has shown the negative impact and economic trade-offs over regulation

has on job creation, stating, "Ohio must also reexamine government mandates that interfere with market-pricing and make goods artificially more expensive for businesses. Such interference ultimately leads to slower job growth as businesses curtail hiring and wages in order to offset the artificially higher costs created by the mandates."

In closing, Lawson praised the Senate's efforts to "develop a meaningful process to methodically and thoughtfully reduce regulatory restrictions and burdens on all Ohioans."

###

**Interested Party Testimony on Senate Bill 293
Before the Ohio Senate Transportation, Commerce, and Workforce Committee**

**Greg R. Lawson, Research Fellow
The Buckeye Institute
June 27, 2018**

Chairman LaRose, Vice Chair Kunze, Ranking Member Schiavoni, and members of the Committee, thank you for the opportunity to testify today regarding the need for regulatory reform in Ohio and Senate Bill 293.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

The Buckeye Institute applauds the Senate for taking up regulatory reform in an effort to cut bureaucratic red tape. Ohio desperately needs regulatory reform that eliminates unnecessary regulations that strangle private industry and enterprise as part of the state's broader reform efforts to boost economic growth. If Ohio does not focus its regulations and rules on protecting the public from genuine harm, the state will continue to see slow growth and low prosperity.

Some regulations, of course, are essential for preserving public health and safety. No one wants doctors using unsterilized medical equipment, or inadequately trained engineers designing bridges, or toxic chemicals polluting our soil and waterways. Requiring appropriate education and training for physicians, healthcare providers, pilots, and truck drivers helps safeguard the general public in our hospitals and on our roads and runways. But the same cannot be said with respect to auctioneers, travel guides, and hairdressers -- all currently subject to Ohio's byzantine and overly restrictive licensing requirements.

Occupational licensing restrictions present a growing problem at both the state and national level. In 2008, nearly 30 percent of the U.S. workforce was required to hold a license in order to go to work.[1] In 1970, that number was only 10 percent.[2] But even as the scope of occupational licensure has expanded, it is unclear that such licensure has added much value to or improved the quality of goods and services. Studies have shown, for example, that stricter licensure requirements have had little effect on the quality of care provided by dentists[3] or on the quality of service offered by flower arrangers.[4] That dentists are subject to licensing requirements is not troubling or surprising, but that flower arranging should require the state's permission slip is -- which makes the lack of any noticeably improved quality all the more concerning.

And although some occupational licensing does indeed provide the public with some residual benefit, that benefit is not without cost. Expansive licensing schemes costs the community jobs.

Professor Morris Kleiner testified before the U.S. Senate Judiciary Committee that his research concluded that licensing laws cost between a half and one percent of jobs nationally in 2010.[5] Those seemingly small percentages amount to tens of thousands of unborn jobs across America that never came into existence -- a claim bolstered by research out of the Brookings Institute's Hamilton Project revealing that stringent licensing requirements result in fewer providers of the services subject to the requirements.[6] Fewer providers means fewer employers and fewer available jobs.

Perhaps unsurprisingly, given Professor Kleiner's findings, the Obama Administration released a detailed report in 2015 calling for nationwide reforms to occupational licensing.[7] Echoing bipartisan support for such measures, the Trump Administration's Secretary of Labor has since recognized that:

"Americans want principled, broad-based reform. If licenses are unnecessary, eliminate them. If they are needed, streamline them. And, if they are honored by one state, consider honoring them in your own state. Americans looking to enter the workforce deserve no less than our most ardent efforts to remove regulatory barriers so that they can have a job."[8]

Ohio, unfortunately, continues to contribute to the nation's licensing crisis -- and its economy and citizens suffer for it.

The Buckeye Institute's report, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back*, showed not only that Ohio's licensing burdens are more stringent than the national average, but also that nearly every Ohio license that requires training can be earned in less

time in another state.[9] Our subsequent study, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*, confirmed the disturbing and stubborn fact that Ohio's licensing requirements erect higher barriers to employment for those most in need of quality jobs: middle-aged and low-income workers, and those without a college degree.[10]

Our macroeconomic dynamic model, developed by economists at The Buckeye Institute's **Economic Research Center**, revealed that Ohio's licensing requirements have prevented more than 7,000 people between the ages of 25-45 from pursuing licensed occupations, and have discouraged people from migrating to Ohio to enter the job market. The model also showed that high licensing costs keep workers from good-paying professions, and suggests that without such costs more workers would find employment.[11]

Consider Jennifer McClellan. A new mother, a long-time professional, and a licensed massage therapist, Ms. McClellan tried moving back to Ohio to be closer to her family, but the Ohio State Medical Board denied her license application because she was 10 days shy of the state's training requirements.[12] The board unduly discounted years of training and work experience, and would not honor the license she had already earned in Minnesota.

Ms. McClellan is not alone. Ohio cosmetologists, for example, must complete 250 more hours of training than their peers in Pennsylvania and 500 more hours than hairdressers in New York.[13] Such onerous cosmetology training requirements become laughable when compared to the 150 hours of training required to be a state certified Emergency Medical Technician (EMT).[14] Requiring cosmetologists to have *10 times* the training of basic EMTs, makes the case for licensing reform as clear as can be.

Beyond occupational licensing reform, Ohio must also reexamine government mandates that interfere with market-pricing and make goods artificially more expensive for businesses. Such interference ultimately leads to slower job growth as businesses curtail hiring and wages in order to offset the artificially higher costs created by the mandates. Ohio's Renewable Portfolio Standard (RPS), for example, has a very limited effect on public safety, but a tragically negative effect on job creation and employment.[15]

Advocates of Ohio's RPS requirements assured that the standard would create jobs while making the environment cleaner and healthier. Unfortunately, as The Buckeye Institute's research has shown, the RPS actually results in fewer jobs across the state.[16] Using a realistic scenario, our dynamic macroeconomic model estimated that Ohio's current RPS could mean as many as 63,000 *fewer* jobs in Ohio by 2022.[17] Using even more conservative assumptions, the study estimated that the RPS will cost more than 25,400 people employment by 2022.[18] Renewable energy will undoubtedly play a larger role in

the state and national energy mix, but Ohio's mandates make energy prices higher today and create significant red-tape hurdles for manufacturers who are forced to spend more money to meet their energy needs and less on hiring.

Other academic research supports our concerns about the dire impact that regulations have on job creation. The Regulatory Studies Center at George Washington University, for instance, has noted that most empirical analyses find that regulation has a negative effect on entrepreneurship,[19] which should concern lawmakers because research also shows that first-year entrepreneurial start-ups have historically been net job creators even as existing businesses are net job destroyers.[20] Thus, regulations that harm entrepreneurship, harm job growth.

The Ohio Senate's more recent steps to improve the state's regulatory environment, such as Senator Uecker's Senate Bill 221 allowing the Joint Committee on Agency Rule Review to conduct more immediate reviews of rules and their effects, and Senator McColley's Senate Bill 255 reforming Ohio's occupational licensing regime, are steps in the right direction.

Senate Bill 293 builds upon those efforts by requiring state agencies to review their existing rules and identify those rules that have regulatory restrictions that include the words "shall," "must," "require," "shall not," "may not," and "prohibit." When the Mercatus Center at George Mason University studied the use of these regulatory words and corresponding restrictions across multiple states, it concluded that Ohio compares poorly.[21] Despite some methodological limitations, the Mercatus Center study offers a rough quantification of the regulatory burden that the Ohio Administrative Code imposes on Ohioans.[22] Senate Bill 293 makes good use of the Mercatus study by requiring every state agency to take a closer look at its existing restrictions and then requiring them to prepare a base inventory of those restrictions in order to begin limiting and reducing their numbers.

Canada's British Columbia adopted a similar policy creating a regulation inventory and then capping the maximum allowable regulatory restrictions.[23] Since 2001, British Columbia has reduced its regulatory restrictions by nearly 50 percent -- and without endangering public safety.[24]

A comprehensive inventory of agency restrictions will give policymakers a clearer picture of where the state's bureaucratic red tape truly lies; and a cap on regulatory restrictions will compel agencies and the General Assembly to carefully consider and prioritize any new restriction proposed. Senate Bill 293 advances the Senate's yeoman's effort to develop a meaningful process to methodically and thoughtfully reduce regulatory restrictions and burdens on all Ohioans.

Thank you for your time and consideration. I welcome any questions that the Committee might have.

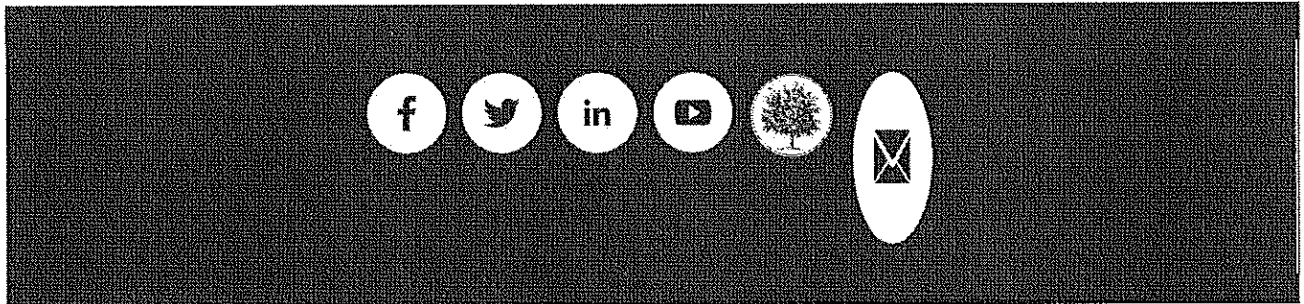
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- [1] Morris M. Kleiner, *Occupational Licensing: Protecting the Public Interest or Protectionism?*, W.E. Upjohn Institute for Employment Research, July 2011.
- [2] *Ibid.*
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- [4] Dick M. Carpenter, *Blooming Nonsense: Licensure and Consumer Protection*, *Regulation*, Spring 2011, Volume 34 Issue 1, p. 44-47.
- [5] Morris M. Kleiner, *License to Compete: Occupational Licensing and the State Action Doctrine*, Testimony before the U.S. Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, February 2, 2016.
- [6] Morris M. Kleiner, *Reforming Occupational Licensing Policies*, The Hamilton Project, March 2015.
- [7] The White House, *Occupational Licensing: A Framework for Policymakers*, July 2015.
- [8] Secretary of Labor Alexander Acosta, *Speech before the 44th Annual Meeting of the American Legislative Exchange Council*, U.S. Department of Labor, July 21, 2017.
- [9] Tom Lampman, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back*, The Buckeye Institute, November 18, 2015.
- [10] Orphe Pierre Divounguys, PhD, Bryce Hill, and Greg R. Lawson, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*, The Buckeye Institute, December 18, 2017.
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- [12] Greg R. Lawson, *Goodbye, Ohio. A Talented Massage Therapist Forced to Leave State Because of Crazy Licensing Rules*, The Buckeye Institute, February 29, 2016.
- [13] Ohio Revised Code §4713.28.
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- [16] Greg R. Lawson, research fellow, The Buckeye Institute, *Testimony Before the Ohio Senate Energy and Natural Resources Committee*, June 6, 2018.
- [17] *Ibid.*
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- [19] Ana Maria Zarate Moreno, *Regulation, Innovation, and Entrepreneurship: A Review of the Literature*, Regulatory Studies Center, George Washington University, December 8, 2015.
- [20] Tim Kane, *The Importance of Startups in Job Creation and Job Destruction*, Ewing Marion Kaufman Foundation, September 9, 2010.
- [21] James Broughel and Jonathan Nelson, *A Snapshot of Ohio Regulation in 2018*, Mercatus Center, February 26, 2018.
- [22] The Mercatus study counts all restrictive words but does not distinguish between those restrictions that apply to Ohio citizens or businesses from those that apply to state agency actions and thus might actually prove beneficial. The study also does not distinguish between rules that are imposed strictly by the state from those that incorporate federally imposed mandates.
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[24] Ministry of Small Business and Red Tape Reduction and Responsible for the Liquor Distribution Branch, *Achieving a Modern Regulatory Environment: B.C.'s Regulatory Reform Initiative*, Province of British Colombia, 2017.

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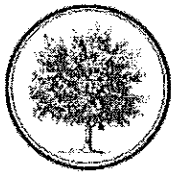
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Decision a Victory for Workers and First Amendment



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE
June 27, 2018

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The Buckeye Institute's President and CEO Robert Alt: *Janus v. AFSCME* Decision a Victory for Workers and First Amendment

Columbus, OH -- Robert Alt, president and chief executive officer of The Buckeye Institute, issued the following statement on the U.S. Supreme Court's decision in *Janus v. AFSCME*.

"The Supreme Court today in *Janus v. AFSCME* announced its basic rule of human decency and common sense: consent matters-and our hardworking public-sector workers can no longer be forced to pay for political speech or other activities without their affirmative consent."

The Buckeye Institute also announced the launch of its **WorkersChoose.org** website to assist public-sector workers with information about how to notify their unions about whether they would like to consent or not.

###

Related Content:

Robert Alt Statement Following Oral Arguments in *Janus v. AFSCME*, February 26, 2018

The Money Behind Janus: It's Deja vu All Over Again, By Robert Alt, *National Review*, February 26, 2018

Robert Alt Statement: Unions Should Rally Behind the First Amendment Rights of All Public Employees, February 24, 2018

The Buckeye Institute Files Amicus Brief in Janus Case, December 6, 2017

It's Time for Public Sector Workers to be Given a Voice and Choice, By Robert Alt, *Forbes*, November 27, 2017

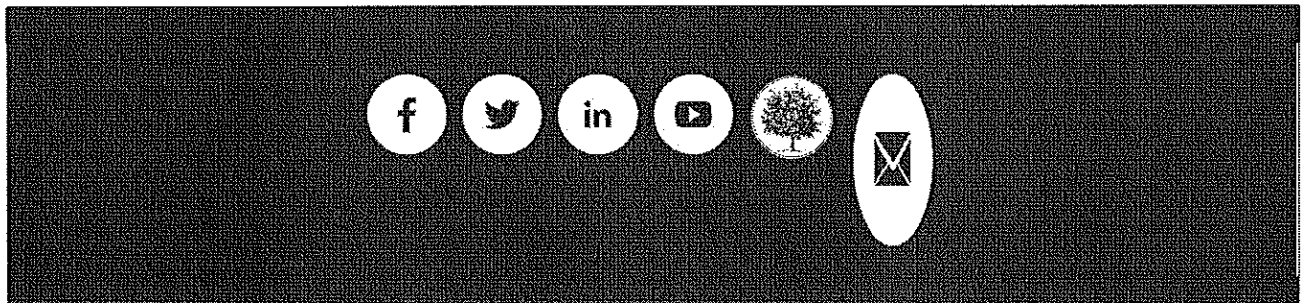
Supreme Court Takes Up *Janus v. AFSCME*, September 28, 2017

The Buckeye Institute Files Amicus Brief in *Janus v. AFSCME* Supporting Free Speech, July 20, 2017

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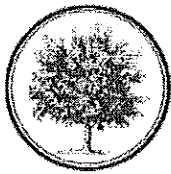
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To: Miller, Brad
Subject: The Buckeye Institute: Policies in SB66 Will Help Ohioans Rebuild Their Lives



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

June 27, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute: Policies in SB66 Will Help Ohioans Rebuild Their Lives

Columbus, OH -- Daniel J. Dew, legal fellow at **The Buckeye Institute's** Legal Center, issued the following statement on the passage of Senate Bill 66, sponsored by senators John Eklund (R-18) and Charleta Tavares (D-15). The bill now awaits Governor John Kasich's signature.

"Today, with the passage of Senate Bill 66, Ohio took another step forward to help our fellow citizens rebuild their lives. These new policies will help Ohioans, who have committed low-level offenses and often suffer from addiction or mental health issues, get the treatment they need, and, after repaying their debt to society, will enable them to remove the modern-day scarlet letter of a criminal record that is a barrier to employment, housing, and education," said Daniel J. Dew, legal fellow at The Buckeye Institute's **Legal Center**. "Thanks to the hard work and dedication of senators Eklund and Tavares, Senate President Larry Obhof (R-22), as well as Representative Nathan Manning (R-55), more Ohioans will have the ability to provide for themselves and their families."

Among other things, Senate Bill 66 changes the purposes of criminal sentencing to include rehabilitation, expands opportunities for defendants to be placed in treatment programs, and gives judges more discretion to seal criminal records for people who have shown a commitment to staying on the straight and narrow.

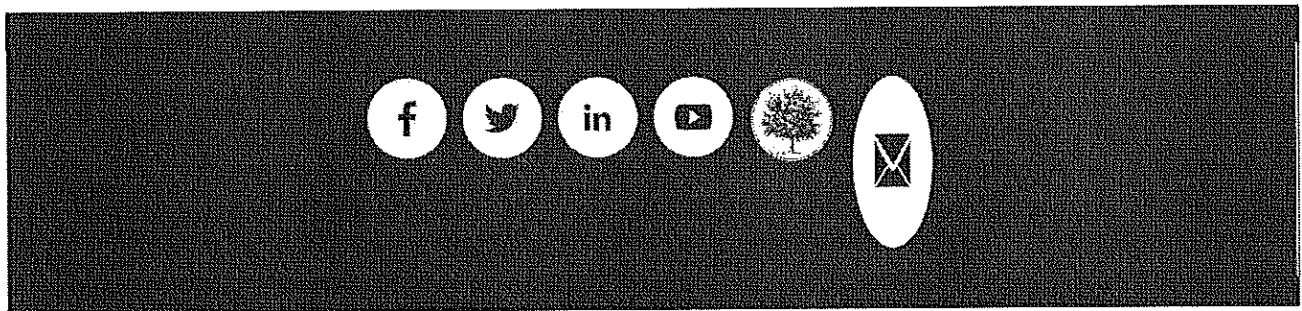
"I want to thank The Buckeye Institute for its help in the process. With Sub. Senate Bill 66 Ohio takes significant, purposeful steps forward in our efforts to promote the rehabilitation of offenders and their reintegration into society," said Senator John Eklund, one of the bill's primary sponsors. "Many offenders clearly need treatment more than they need prison, and can be more effectively punished and rehabilitated in alternative corrections facilities."

Eklund continued, "By expanding the availability of alternatives to prison, promoting treatment for those who need it, and broadening opportunities for ex-offenders to have their records sealed, this bill will reduce costs and recidivism, and enhance the role our criminal justice system plays in keeping us safe while ensuring a just society."

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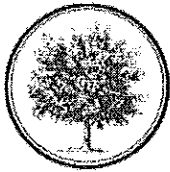
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From: The Buckeye Institute
Sent: Wednesday, June 27, 2018 4:14 PM
To: Miller, Brad
Subject: The Buckeye Institute: Licensing Reform Policies in SB 255 Benefit Ohio Workers



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

June 27, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute: Licensing Reform Policies in SB 255 Benefit Ohio Workers

Columbus, OH -- **The Buckeye Institute** issued the following statement following the passage of Senate Bill 255.

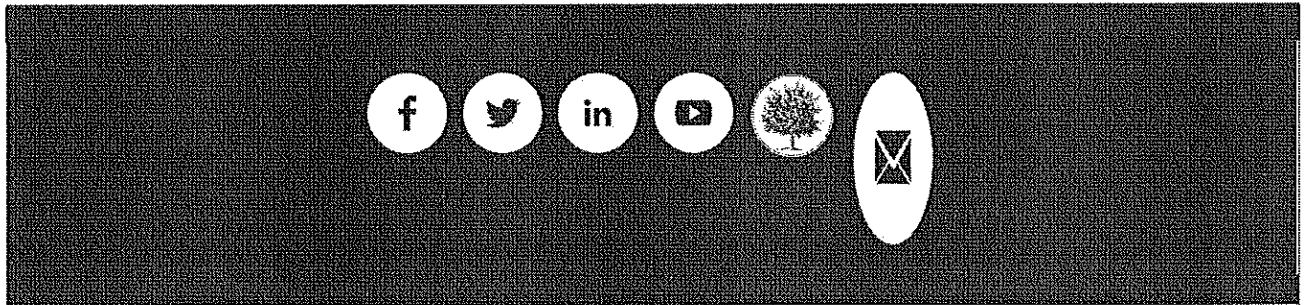
"Today the Ohio Senate took a major step forward in addressing Ohio's burdensome occupational licensing regime. By moving forward with the policies in Senate Bill 255 the General Assembly is strengthening the tools available to ensure licenses are the least restrictive while fully ensuring public safety," said Greg R. Lawson, research fellow at The Buckeye Institute. "It is time to stop making Ohio less competitive, less prosperous, and less attractive to entrepreneurs and their employees. Too many licensing requirements only make finding a job more difficult for those who can least afford it."

###

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from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.



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